

ARTICLE V

PUBLIC SAFETY AND CRIMINAL JUSTICE

Sec. 1. The several sums of money herein specified, or so much thereby as may be necessary, are appropriated out of any funds in the State Treasury not otherwise appropriated, or out of special funds as indicated, for the support, maintenance, or improvement of the designated public safety and criminal justice agencies.

ADJUTANT GENERAL’S DEPARTMENT

	For the Years Ending	
	August 31, 2002	August 31, 2003
<b>A. Goal:</b> PROVIDE CAPABLE RESPONSE		
To provide a professional, fully-trained force capable of responding to federal and state requirements.		
<b>A.1.1. Strategy:</b> MANAGEMENT, OPERATIONS AND TRAINING	\$ 1,369,000	\$ 1,369,000
Execute an effective personnel management, operations and training program to ensure accomplishment of federal and state missions.		
<b>Efficiencies:</b>		
Average Cost of Management, Operations and Training		
Support Per Guardsperson	19.05	19.05
<b>Explanatory:</b>		
Authorized Military Strength	20,870	20,870
<b>A.2.1. Strategy:</b> FACILITIES/EQUIPMENT MODERNIZATION	\$ 11,363,861	\$ 11,986,097
Pursue effective facilities and equipment modernization and maintenance programs while sustaining a security program for selected facilities (excludes facilities on Texas Military Facilities Commission property).		
<b>Efficiencies:</b>		
Total Maintenance Cost Per Square Foot of All Buildings (Less Those on Texas Military Facilities Commission Property)	2.38	2.25
<b>A.2.2. Strategy:</b> DEBT SERVICE	\$ 4,582,065	\$ 4,806,663
Support the Texas Military Facilities Commission in the construction and maintenance of new armories by paying rent (includes debt service on outstanding revenue bonds, insurance, and administrative fees).		
<b>A.2.3. Strategy:</b> UTILITIES	\$ 3,698,911	\$ 3,708,906
Pay for the cost of the department’s utilities and sustain a comprehensive and effective utilities conservation program throughout the department, including armories.		
<b>Efficiencies:</b>		
Utilities Cost Per Square Foot, All Buildings	.64	.64
<b>Total, Goal A:</b> PROVIDE CAPABLE RESPONSE	\$ 21,013,837	\$ 21,870,666
<b>B. Goal:</b> COMMUNITY SUPPORT		
Expand and maintain individual and unit involvement that supports and adds value to our communities and tells the Guard story.		
<b>B.1.1. Strategy:</b> COMMUNITY SUPPORT	\$ 3,159,400	\$ 3,159,400
Expand the department’s community support program to include all department personnel.		

**ADJUTANT GENERAL'S DEPARTMENT**  
(Continued)

<b>Output (Volume):</b>		
Number of Missions Performed Supporting Federal, State, and Local Drug Law Enforcement Agencies	680	680
<b>C. Goal: PURSUE CLEANER ENVIRONMENT</b>		
Aggressively pursue a cleaner environment through the identification and correction of deficiencies and implementation of environmental protection measures.		
<b>C.1.1. Strategy:</b> ENVIRONMENTAL CLEAN-UP	\$ 2,998,000	\$ 2,998,000
Conduct environmental remediation/restoration, compliance and conservation/prevention projects throughout the department.		
<b>D. Goal: INDIRECT ADMINISTRATION</b>		
<b>D.1.1. Strategy:</b> INDIRECT ADM & SUPP COSTS	\$ 8,652,000	\$ 8,652,000
Indirect administration.		
<b>Grand Total, ADJUTANT GENERAL'S DEPARTMENT</b>	<u><u>\$ 35,823,237</u></u>	<u><u>\$ 36,680,066</u></u>
<b>Method of Financing:</b>		
General Revenue Fund	\$ 13,170,707	\$ 13,004,082
Adjutant General Federal Fund No. 449	22,202,530	23,225,984
<u>Other Funds</u>		
Appropriated Receipts	275,000	275,000
Interagency Contracts - Transfer from Foundation School Fund No. 193	175,000	175,000
Subtotal, Other Funds	<u><u>\$ 450,000</u></u>	<u><u>\$ 450,000</u></u>
<b>Total, Method of Financing</b>	<u><u>\$ 35,823,237</u></u>	<u><u>\$ 36,680,066</u></u>
<b>Number of Full-Time-Equivalent Positions (FTE):</b>	459.0	459.0
<b>Schedule of Exempt Positions:</b>		
Adjutant General, Group 3	\$94,832	\$94,832
 1. <b>Capital Budget.</b> None of the general revenue funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. This rider does not limit the use of federal funds obtained by the department.		
	<u>2002</u>	<u>2003</u>
a. Construction of Buildings and Facilities	\$ 1,000,000	\$ 2,093,000
b. Repair or Rehabilitation of Buildings and Facilities	875,000	375,000
Total, Capital Budget	<u><u>\$ 1,875,000</u></u>	<u><u>\$ 2,468,000</u></u>

**ADJUTANT GENERAL’S DEPARTMENT**  
(Continued)

Method of Financing (Capital Budget):

General Revenue Fund	\$ 700,000	\$ 300,000
Adjutant General Federal Fund No. 449	<u>1,175,000</u>	<u>2,168,000</u>
Total, Method of Financing	<u>\$ 1,875,000</u>	<u>\$ 2,468,000</u>

2. **Support and Maintenance Expenditures.** It is hereby provided that all monies currently appropriated to the Adjutant General's Department for support and maintenance of the Texas National Guard are authorized for like expenditures for the support and maintenance, including organization, of units of the Texas State Guard supplementing the Texas National Guard or replacing National Guard units inducted into federal service.
3. **Transferability.** The Adjutant General’s Department is hereby authorized to transfer such amounts as may be necessary from one strategy to another strategy. No transfers shall be made into Strategy A.2.2, Debt Service.
4. **Travel Limitations.** Subject to the travel limitations set out in the General Provisions of this Act, the Adjutant General's Department shall pay the travel expenses of members of the National Guard when said members are acting as official representatives of the Adjutant General’s Department on behalf of the Texas National Guard.
5. **Payment of Travel - Limitation.** None of the funds appropriated above may be expended for the payment of travel of any officer or employee, except the Adjutant General of the State of Texas, Assistant Adjutant General-Army, Assistant Adjutant General-Air, and State Judge Advocate or the Adjutant General's designee for any one of these officers, to meetings of the National Guard Association of the United States.
6. **Armory Closure.** It is the intent of the Legislature that the Adjutant General's Department not close any armories due solely to insufficient funds to pay for utilities.
7. **Armory Utilities.** The Adjutant General's Department shall study each armory to ensure utility costs are kept to a minimum and the Adjutant General's Department shall charge rental fees for armories that are comparable to fees charged for similar facilities in the area where the armory is located. In any case, the rent charged must be adequate to recover any additional utility costs associated with the rental of the armory.
8. **Federally Funded Projects.** Federal funds for any 100 percent federally funded project are hereby appropriated, and related additional federally funded personnel and additional travel expenditures are authorized.
9. **Road Construction and Maintenance at Camp Mabry Facilities.** The Texas Department of Transportation shall construct, repair, and maintain roads in and providing access to and from Camp Mabry facilities.
10. **Quarters and Utilities Allowance.** The Adjutant General, Assistant Adjutant General-Air, and the Assistant Adjutant General-Army are authorized to live in state-owned housing as set forth in Article IX, § 9.09 of this Act. The Adjutant General’s Department may also allocate existing department housing to other department employees with a demonstrated need based on location and job description at a rate in accordance with Article IX, § 9.09 of this Act. Fees for employee housing are hereby appropriated to be used for maintaining employee housing.
11. **Appropriation - Billet Receipts.** All billet receipts in excess of those shown in the method of finance above (\$275,000 per fiscal year-Appropriated Receipts) are hereby appropriated for use in Strategy A.2.1, Facilities/Equipment Modernization.

ADJUTANT GENERAL’S DEPARTMENT  
(Continued)

12. **Unexpended Balances, Payments to National Guard for State Active Duty.** Any unexpended balances as of August 31, 2002, in Strategy A.1.1, Management, Operations and Training, for payments to the National Guard for State Active Duty, are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2002.
13. **Cash Flow Contingency.** Contingent upon the receipt of federal funds, the Adjutant General’s Department may temporarily utilize additional general revenue funds, pending receipt of federal reimbursement, in an amount not to exceed \$3 million in each year of the biennium. The general revenue amounts utilized above the Department’s general revenue method of finance must be repaid upon receipt of federal reimbursement and shall be utilized only for the purpose of temporary cash flow needs. At the end of each fiscal year, the \$3 million must be repaid by November 30 of the following fiscal year. These transfers and repayments shall be credited to the fiscal year being reimbursed and shall be in accordance with procedures established by the Comptroller of Public Accounts. All transfers of the method of finance shall be reported by the Department to the Governor and the Legislative Budget Board.
14. **Travel Limitations - State Guard.** Subject to the travel limitations set out in the General Provisions of this Act, the Adjutant General’s Department may pay the travel expenses of members of the Texas State Guard when said members are acting as official representatives of the Adjutant General’s Department on behalf of the Texas State Guard.
15. **Seaborne/ChalleNGe Youth Education Program.** Out of funds appropriated above in Strategy B.1.1, Community Support, \$175,000 is appropriated from the Foundation School Program Fund for each year of the biennium. In the event the available amount is greater than \$175,000 in each year, general revenue funds equal to the difference between the Foundation School Program funds and \$175,000 shall lapse to the unobligated portion of the General Revenue Fund.

ALCOHOLIC BEVERAGE COMMISSION

	For the Years Ending	
	August 31, 2002	August 31, 2003
<b>A. Goal: REGULATE DISTRIBUTION</b>		
To promote the health, safety and welfare of the public and to regulate the alcoholic beverage industry by taking positive steps to foster voluntary compliance with the law through a combination of enforcement and education.		
<b>Outcome (Results/Impact):</b>		
Percentage of Licensed Establishments Inspected Annually	70%	70%
<b>A.1.1. Strategy:</b> DETER/DETECT VIOLATIONS	\$ 15,061,321	\$ 15,635,669
Deter and detect violations of the Alcoholic Beverage Code by inspecting licensed establishments, by investigating complaints and by providing or sponsoring educational programs that promote voluntary compliance and increase the public’s awareness of the state’s alcoholic beverage laws.		
<b>Output (Volume):</b>		
Number of Inspections Made	106,000	106,000
<b>Efficiencies:</b>		
Average Cost Per Inspection	142.76	147.16

ALCOHOLIC BEVERAGE COMMISSION  
(Continued)

<b>B. Goal: PROCESS TABC APPLICATIONS</b>			
Process alcoholic beverage license/permit applications and issue licenses/permits in compliance with the Alcoholic Beverage Code.			
<b>Outcome (Results/Impact):</b>			
Percent of Original License/Permit Applications Processed within 14 Days			
	99%		99%
<b>B.1.1. Strategy:</b> ENSURE LAW COMPLIANCE	\$ 1,650,628	\$	1,654,714
Ensure compliance with laws regarding ownership of permits/licenses, tax security, and other licensing requirements.			
<b>Output (Volume):</b>			
Number of Licenses/Permits Issued	90,972		90,972
<b>Efficiencies:</b>			
Average Cost Per License/Permit Processed	23.41		23.25
<b>C. Goal: COLLECT FEES AND TAXES</b>			
To ensure compliance with the Alcoholic Beverage Code in the manufacturing, importing, exporting, transporting, storing, selling, serving, and distributing of alcoholic beverages.			
<b>Outcome (Results/Impact):</b>			
Percent of Inspections, Analyses and Compliance Activities Resulting in Administrative or Compliance Actions			
	25.5%		25.5%
<b>C.1.1. Strategy:</b> COMPLIANCE MONITORING	\$ 2,391,833	\$	2,415,767
Inspect, investigate and analyze all segments of the alcoholic beverage industry, verify the accuracy and timeliness of tax reporting payments, and initiate any necessary compliance and/or administrative actions for failure to comply, while providing instruction to promote voluntary compliance.			
<b>Output (Volume):</b>			
Number of Inspections, Analyses and Compliance Activities	83,200		83,200
<b>Efficiencies:</b>			
Average Cost Per Inspection, Analysis, and Compliance Activity	29.52		29.75
<b>C.2.1. Strategy:</b> PORTS OF ENTRY	\$ 2,667,159	\$	2,668,113
Identify high traffic loads and strategically place personnel or equipment at ports of entry to more effectively regulate the personal importation of alcoholic beverages and cigarettes. Nontransferable.			
<b>Output (Volume):</b>			
Number of Alcoholic Beverage Containers and Cigarette Packages Stamped	4,476,300		4,476,300
<b>Total, Goal C:</b> COLLECT FEES AND TAXES	\$ 5,058,992	\$	5,083,880
<b>D. Goal: INDIRECT ADMINISTRATION</b>			
<b>D.1.1. Strategy:</b> CENTRAL ADMINISTRATION	\$ 1,392,652	\$	1,392,652
<b>D.1.2. Strategy:</b> INFORMATION RESOURCES	\$ 1,060,683	\$	1,062,804
<b>D.1.3. Strategy:</b> OTHER SUPPORT SERVICES	\$ 524,922	\$	526,343
<b>Total, Goal D:</b> INDIRECT ADMINISTRATION	\$ 2,978,257	\$	2,981,799
<b>Grand Total, ALCOHOLIC BEVERAGE COMMISSION</b>	\$ 24,749,198	\$	25,356,062

ALCOHOLIC BEVERAGE COMMISSION  
(Continued)

<b>Method of Financing:</b>		
General Revenue Fund	\$ 24,332,734	\$ 24,899,598
Appropriated Receipts	54,000	94,000
Interagency Contracts	<u>362,464</u>	<u>362,464</u>
<b>Total, Method of Financing</b>	<u><u>\$ 24,749,198</u></u>	<u><u>\$ 25,356,062</u></u>
<b>Other Direct and Indirect Costs Appropriated Elsewhere in this Act</b>		
	\$ 7,218,554	\$ 7,659,998
<b>Number of Full-Time-Equivalent Positions (FTE):</b>	527.5	527.5
<b>Number of FTEs in Riders:</b>	13.0	13.0
<b>Schedule of Exempt Positions:</b>		
Administrator, Group 3	\$91,000	\$91,000
<b>Supplemental Appropriations Made in Riders:</b>	\$ 627,766	\$ 334,066

1. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103.

	<u>2002</u>	<u>2003</u>
Out of the General Revenue Fund:		
a. Acquisition of Information Resource Technologies		
(1) Wide Area Network Equipment	\$ 39,400	\$ 33,500
(2) Computer Equipment - Leased	151,065	269,090
(3) Mainframe Lease	300,227	300,000
Total, Acquisition of Information Resource Technologies	<u>\$ 490,692</u>	<u>\$ 602,590</u>
b. Transportation Items		
(1) Fleet Acquisition (74 Vehicles)	553,500	963,500
Total, Capital Budget	<u><u>\$ 1,044,192</u></u>	<u><u>\$ 1,566,090</u></u>

2. **Hazardous Duty Pay Authorized.** The Texas Alcoholic Beverage Commission is authorized to pay hazardous duty pay at a rate of \$7.00 per month for each year of state service up to and including the thirtieth year of service, to any commissioned law enforcement personnel as prescribed by law.

It is further provided that individuals who had received hazardous duty pay as of August 31, 1981, shall continue to receive hazardous duty pay for the biennium beginning with the effective date of this Act. Individuals hired after August 31, 1981, shall not receive hazardous duty pay unless so authorized by § 659.062, Government Code.

3. **Witness Expenses Authorized.** No other provisions of this Article shall prevent payment by the State of Texas of salaries and expenses incurred by representatives of the Texas Alcoholic

## ALCOHOLIC BEVERAGE COMMISSION

(Continued)

Beverage Commission in attendance on state or federal grand jury proceedings, and who may be called as witnesses in the trial of criminal or civil cases in state or federal courts involving offenses complained of against state or federal liquor regulatory or revenue laws. It is further provided that any fees collected by such representatives in performing such duties shall be deposited in the State Treasury to the credit of the appropriations made above.

4. **Revolving Fund.** The revolving change fund created by prior Legislatures in the amount of \$10,000 for use at the several International Bridges is hereby appropriated for the biennium beginning with the effective date of this Act for the same purposes (estimated to be \$10,000).
5. **State Police Agency.** For purposes of application to the federal government for licenses, permits, or other authorizations, including radio frequencies, or for law enforcement assistance grants, the Texas Alcoholic Beverage Commission shall be considered a state police agency in accordance with the Alcoholic Beverage Code and other applicable laws.
6. **Fleet of Motor Vehicles Authorized.** It is the intent of the Legislature that the agency purchase and maintain a fleet of vehicles. If these vehicles are unmarked for law enforcement purposes, these vehicles shall be utilized only by personnel who are commissioned peace officers or those persons responsible for the maintenance and repair of these vehicles. Vehicles which are properly marked pursuant to state requirements, may be utilized for other legitimate agency purposes as needed by personnel employed in the Enforcement and Compliance Divisions.
7. **Purchase of Evidence Authorized.** From the amounts authorized above, the Texas Alcoholic Beverage Commission is hereby authorized to establish a cash fund not to exceed \$50,000 for the purchase of evidence and/or information and surveillance expenses deemed necessary by the Commission.
8. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines and other miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made above as well as an amount equal to the amount identified above in the informational item "Other Direct and Indirect Costs Appropriated Elsewhere in this Act." In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.
9. **Agent Training.** It is the intent of the Legislature that the Texas Alcoholic Beverage Commission, as part of its initial and ongoing training of its certified peace officers, emphasize the evidentiary threshold required in prosecution of criminal cases as it applies to minors in possession of alcoholic beverages.
10. **Clothing Provisions.**
  - a. A commissioned officer who received a \$1,200 clothing allowance pursuant to the General Appropriations Act during the 2000–01 biennium shall receive a \$1,200 clothing allowance in the 2002–03 biennium.
  - b. It is the intent of the Legislature that no person shall receive a \$1,200 clothing allowance unless eligible in subsection (a).
  - c. An individual who is newly hired or newly commissioned after September 1, 1997, is eligible to receive a \$500 cleaning allowance. No rank other than that of Agent is entitled to a \$500 cleaning allowance.

ALCOHOLIC BEVERAGE COMMISSION  
(Continued)

- d. The Texas Alcoholic Beverage Commission may purchase uniforms for Tax Collectors at International Bridges.
11. **Contingency Appropriation for Bridges.** In addition to the amounts appropriated above in Strategy C.2.1, Ports of Entry, \$508,518 in fiscal year 2002 and \$240,818 in fiscal year 2003 from General Revenue are hereby appropriated to the Texas Alcoholic Beverage Commission for the purposes of constructing and manning booths at the ports of entry. These appropriations are contingent on the issuance of a finding of fact by the Comptroller of Public Accounts, based on information provided by the Commission, that the increase in tax revenues and ports of entry administrative fees collected on alcoholic beverages and cigarettes during the 2002–03 biennium will be in excess of the Comptroller’s Biennial Revenue Estimate in an amount sufficient to fund the appropriations above and the direct and indirect costs of \$29,518 related to this appropriation. Should the Comptroller of Public Accounts not be able to issue a finding of fact for the total amount indicated above, the Comptroller of Public Accounts may issue a finding of fact on any amount up to the total amounts indicated above. Also contingent on the finding of fact, the “Number of Full-Time-Equivalent Positions (FTE)” figure indicated above is hereby increased by nine for fiscal year 2002 and nine for fiscal year 2003. Funds directed by this provision may be expended for capital budget purposes notwithstanding limitations on capital budget expenditures elsewhere in this Act.
12. **Contingency Appropriations.** In addition to the amounts appropriated above in Strategy B.1.1, Ensure Law Compliance, \$109,248 in fiscal year 2002 and \$93,248 in fiscal year 2003 from General Revenue are hereby appropriated to the Texas Alcoholic Beverage Commission contingent upon the Texas Alcoholic Beverage Commission increasing fees and surcharges, pursuant to § 5.50, Alcoholic Beverage Code, by \$213,133 and providing such information as may be deemed necessary by the Comptroller of Public Accounts to issue a finding of fact that the increased revenues are estimated to be available in excess of the Comptroller’s Biennial Revenue Estimate, including supplemental estimates used in certifying this Act, to fund the increased appropriations and benefits. Also contingent on the Texas Alcoholic Beverage Commission meeting the above revenue target, the “Number of Full-Time-Equivalent Positions (FTE)” indicated above is increased by four FTEs each fiscal year of the biennium.

DEPARTMENT OF CRIMINAL JUSTICE

	For the Years Ending	
	August 31, 2002	August 31, 2003
<b>A. Goal:</b> PROVIDE PRISON DIVERSIONS		
To provide diversions to traditional prison incarceration by the use of community supervision and other community-based programs.		
<b>Outcome (Results/Impact):</b>		
Felony Community Supervision Annual Revocation Rate	9.3%	9.3%
<b>A.1.1. Strategy:</b> BASIC SUPERVISION	\$ 100,355,443	\$ 101,405,397
Secure and distribute funding necessary to provide adequate basic community supervision services that meet required levels of supervision.		
<b>Output (Volume):</b>		
Total Felony Offenders under Direct Supervision	162,540	164,263
<b>A.1.2. Strategy:</b> DIVERSION PROGRAMS	\$ 65,321,956	\$ 65,321,956
Allow for the development of programs to divert adult offenders to community-based programs and away from traditional incarceration.		



**DEPARTMENT OF CRIMINAL JUSTICE**  
(Continued)

<b>Output (Volume):</b>		
Number of Residential Facility Beds Grant Funded	2,315	2,315
<b>A.1.3. Strategy:</b> COMMUNITY CORRECTIONS	<u>\$ 44,906,752</u>	<u>\$ 44,906,752</u>
Provide formula-allocated aid to community-based correctional programs to encourage the development of alternatives to incarceration.		
<b>Output (Volume):</b>		
Number of Residential Facility Beds Funded	723	723
<b>Total, Goal A:</b> PROVIDE PRISON DIVERSIONS	<u>\$ 210,584,151</u>	<u>\$ 211,634,105</u>

**B. Goal:** SPECIAL NEEDS OFFENDERS

To provide a comprehensive continuity of care system for special needs offenders through statewide collaboration and coordination.

<b>Outcome (Results/Impact):</b>		
Percent of Reduction in Arrests	25%	25%
<b>B.1.1. Strategy:</b> SPECIAL NEEDS PROJECTS	<u>\$ 15,879,733</u>	<u>\$ 15,879,733</u>
Provide projects that coordinate multi-agency efforts for special needs offenders through case management and treatment services.		
<b>Output (Volume):</b>		
Number of Special Needs Offenders Served through the Continuity of Care Programs	8,666	8,666

**C. Goal:** INCARCERATE FELONS

To provide for confinement, supervision, rehabilitation and reintegration of adult felons.

<b>Outcome (Results/Impact):</b>		
Escaped Offenders as Percentage of Number of Offenders Incarcerated	0.0064%	0.0064%
Three-year Recidivism Rate	30.5%	30.5%
Turnover Rate of Correctional Officers	18%	18%
<b>C.1.1. Strategy:</b> SECURITY/CLASSIFICATION	<u>\$ 936,433,639</u>	<u>\$ 943,812,887</u>
Provide security resources and a classification system that ensures an appropriate environment.		
<b>Output (Volume):</b>		
Number of Offenders Incarcerated	144,778	144,778
<b>C.1.2. Strategy:</b> INSTITUTIONAL GOODS/SERVICES	<u>\$ 417,159,889</u>	<u>\$ 417,524,823</u>
Provide goods and services necessary to house and maintain the inmate population and operate institutional facilities.		
<b>Efficiencies:</b>		
Support Services Cost Per Inmate Day	8.66	8.67
<b>C.1.3. Strategy:</b> PSYCHIATRIC CARE	<u>\$ 44,999,108</u>	<u>\$ 44,999,108</u>
Maintain and support a professional psychiatric care program capable of providing quality services to all inmates.		
<b>Output (Volume):</b>		
Psychiatric Inpatient Average Daily Census	1,950	1,950
<b>C.1.4. Strategy:</b> MANAGED HEALTH CARE	<u>\$ 280,764,671</u>	<u>\$ 285,706,671</u>
Maintain and support a professional managed health care program capable of providing quality services to all inmates.		
<b>Efficiencies:</b>		
Medical Care Cost Per Inmate Day	5.61	5.65
<b>C.1.5. Strategy:</b> CONTRACTED/TEMPORARY CAPACITY	<u>\$ 36,372,394</u>	<u>\$ 29,966,363</u>
Provide for payments to counties and private entities for correctional bed capacity on a contractual/temporary basis.		

**DEPARTMENT OF CRIMINAL JUSTICE**  
(Continued)

<b>Explanatory:</b>		
Average Number of Inmates in Contractual Correctional Bed Capacity		
	2,491	2,052
<b>C.2.1. Strategy:</b> TEXAS CORRECTIONAL INDUSTRIES	\$ 71,719,856	\$ 72,037,856
Prepare the inmate for reintegration into society by providing the opportunity for on-the-job training in Texas Correctional Industries.		
<b>Output (Volume):</b>		
Number of Inmates Assigned to the Texas Correctional Industries Program		
	7,200	7,200
<b>C.2.2. Strategy:</b> ACADEMIC/VOCATIONAL TRAINING	\$ 7,071,473	\$ 7,071,473
Offer post-secondary academic and vocational training needed for the further development of mental and job skills.		
<b>Output (Volume):</b>		
Inmate Students Enrolled		
	17,754	17,931
<b>C.2.3. Strategy:</b> TREATMENT SERVICES	\$ 15,860,641	\$ 15,860,642
Provide screening during the diagnostic/intake process that identifies special needs and appropriate services as needed.		
<b>Output (Volume):</b>		
Number of Sex Offenders Receiving Psychological Counseling while on Parole/Mandatory Supervision		
	1,300	1,300
<b>C.2.4. Strategy:</b> SUBSTANCE ABUSE TREATMENT	\$ 68,262,558	\$ 68,262,559
Provide a substance abuse treatment program with well-defined goals that includes a highly structured work environment, education, a graded system of rewards/sanctions, regular scheduled evaluation, and provides for post-release continuum of care.		
<b>Output (Volume):</b>		
Number of Confinees Completing Treatment in Substance Abuse Felony Punishment Facilities (SAFPF)		
	5,869	5,898
<b>C.3.1. Strategy:</b> CONTRACT PRISONS/PRIVATE ST JAILS	\$ 128,099,285	\$ 131,206,200
Contract for prisons that provide eligible inmates with full-time work, education and/or programming; and contract for privately operated state jails.		
<b>Output (Volume):</b>		
Number of Offenders in Contract Prisons and Privately Operated State Jails		
	11,375	11,375
<b>Total, Goal C:</b> INCARCERATE FELONS	\$ 2,006,743,514	\$ 2,016,448,582
<b>D. Goal:</b> ACCEPT INMATES IN 45 DAYS		
Ensure that there are adequate housing and support facilities for convicted felons during confinement.		
<b>D.1.1. Strategy:</b> FACILITIES CONSTRUCTION	\$ UB	\$ 80,000,000
Construction and repair of facilities.		
<b>D.1.2. Strategy:</b> LEASE-PURCHASE OF FACILITIES	\$ 18,812,395	\$ 18,821,108
Provide for lease-purchase of facilities.		
<b>Total, Goal D:</b> ACCEPT INMATES IN 45 DAYS	\$ 18,812,395	\$ 98,821,108
<b>E. Goal:</b> OPERATE PAROLE SYSTEM		
To provide supervision and administer the range of options and sanctions available for felons' reintegration back into society following release from confinement.		
<b>Outcome (Results/Impact):</b>		
Releasee Annual Revocation Rate	11.8%	11.8%

**DEPARTMENT OF CRIMINAL JUSTICE**  
(Continued)

<b>E.1.1. Strategy:</b> BOARD OF PARDONS & PAROLES Consider eligible prisoners for release prior to completion of their sentence of confinement, exercise statutory authority for decision-making relative to parole or acts of clemency, and conduct revocation hearings as required by law. <b>Output (Volume):</b> Number of Parole Cases Considered	\$ 9,390,603	\$ 9,446,930
<b>E.1.2. Strategy:</b> PAROLE SELECTION Provide necessary support to the Board of Pardons and Paroles and ensure compliance with all statutory requirements for parole, mandatory release, and executive clemency actions. <b>Output (Volume):</b> Number of Parole Cases Processed	73,000 \$ 14,429,060	73,000 \$ 14,480,544
<b>E.2.1. Strategy:</b> PAROLE SUPERVISION Supervise releasees according to legally-mandated ratios. <b>Output (Volume):</b> Number of Pre-revocation Warrants Issued	37,881 \$ 84,368,958	38,147 \$ 85,566,282
<b>E.2.2. Strategy:</b> RESIDENTIAL PAROLE Provide sufficient resources to ensure adequate surveillance and control of clients residing in pre-parole transfer, halfway houses, and work release facilities; and ensure residents receive appropriate assistance in making the transition from prison to community life. <b>Output (Volume):</b> Average Number of Pre-parole Transferees in Pre-parole Transfer Facilities	37,600 \$ 43,348,890	37,600 \$ 43,365,895
<b>E.2.3. Strategy:</b> PAROLE SANCTIONS Provide facilities for the temporary confinement of technical parole/mandatory release violators which serve as a punitive option to full revocation. <b>Output (Volume):</b> Average Number of Releasees in Intermediate Sanction Facilities	<u>18,616,478</u>  1,651	<u>18,616,478</u>  1,651
<b>Total, Goal E:</b> OPERATE PAROLE SYSTEM	<u>\$ 170,153,989</u>	<u>\$ 171,476,129</u>
<b>F. Goal:</b> INDIRECT ADMINISTRATION		
<b>F.1.1. Strategy:</b> CENTRAL ADMINISTRATION	\$ 41,571,207	\$ 41,571,207
<b>F.1.2. Strategy:</b> INFORMATION RESOURCES	\$ 27,357,159	\$ 22,667,389
<b>F.1.3. Strategy:</b> OTHER SUPPORT SERVICES	<u>\$ 4,655,394</u>	<u>\$ 4,655,394</u>
<b>Total, Goal F:</b> INDIRECT ADMINISTRATION	<u>\$ 73,583,760</u>	<u>\$ 68,893,990</u>
<b>Grand Total,</b> DEPARTMENT OF CRIMINAL JUSTICE	<u><u>\$ 2,495,757,542</u></u>	<u><u>\$ 2,583,153,647</u></u>
<b>Method of Financing:</b>		
<u>General Revenue Fund</u>		
General Revenue Fund	\$ 2,304,881,159	\$ 2,324,079,699
Education and Recreation Program Receipts	69,573,520	69,573,520
Texas Correctional Industries Receipts	12,282,000	12,600,000
Subtotal, General Revenue Fund	<u>\$ 2,386,736,679</u>	<u>\$ 2,406,253,219</u>

**DEPARTMENT OF CRIMINAL JUSTICE**  
(Continued)

General Revenue Fund - Dedicated

Compensation to Victims of Crime Account No. 469	2,690,332	2,690,332
Subtotal, General Revenue Fund - Dedicated	<u>\$ 2,690,332</u>	<u>\$ 2,690,332</u>

Federal Funds

Federal Funds	417,026	417,026
Federal Funds for Incarcerated Aliens	31,324,281	31,324,281
Subtotal, Federal Funds	<u>\$ 31,741,307</u>	<u>\$ 31,741,307</u>

Other Funds

Criminal Justice Grants	3,969,676	3,949,240
Appropriated Receipts	23,407,268	11,307,269
Interagency Contracts	7,856,974	7,856,974
Bond Proceeds - General Obligation Bonds	UB	80,000,000
Governor's Emergency and Deficiency Grant	3,250,000	3,250,000
Interagency Contracts - Texas Correctional Industries	36,105,306	36,105,306
Subtotal, Other Funds	<u>\$ 74,589,224</u>	<u>\$ 142,468,789</u>

<b>Total, Method of Financing</b>	<u><u>\$ 2,495,757,542</u></u>	<u><u>\$ 2,583,153,647</u></u>
-----------------------------------	--------------------------------	--------------------------------

<b>Number of Full-Time-Equivalent Positions (FTE):</b>	42,678.2	42,723.2
--------------------------------------------------------	----------	----------

**Schedule of Exempt Positions:**

Executive Director, Group 6	\$150,000	\$150,000
Chair, Board of Pardons & Paroles, Group 3	82,500	82,500
Parole Board Member, Group 3	(17) 80,000	(17) 80,000

<b>Supplemental Appropriations Made in Riders:</b>	<u>\$ 9,000,000</u>	<u>\$ 0</u>
----------------------------------------------------	---------------------	-------------

1. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103.

	<u>2002</u>	<u>2003</u>
a. Acquisition of Land and Other Real Property		
(1) Lease Payments (MLPP) for 1996-97 Acquisitions	\$ 199,604	\$ 0
b. Construction of Buildings and Facilities		
(1) Lease-purchase of Facilities	18,812,395	18,821,108
(2) Expansion of the Western Regional Medical Facility	0	7,874,317
Total, Construction of Buildings and Facilities	<u>\$ 18,812,395</u>	<u>\$ 26,695,425</u>
c. Repair or Rehabilitation of Buildings and Facilities	UB	72,125,683
d. Construction of Roads	UB	UB

**DEPARTMENT OF CRIMINAL JUSTICE**  
(Continued)

e. Acquisition of Information Resource Technologies		
(1) Computer and Software Acquisitions	8,516,546	3,826,776
(2) Lease Payments (MLPP) for 1998-99 Acquisitions	29,346	0
(3) Reengineering Project	UB	UB
 Total, Acquisition of Information Resource Technologies	 \$ 8,545,892	 \$ 3,826,776
 f. Transportation Items	 1,593,750	 1,593,750
 g. Acquisition of Capital Equipment and Items	 3,005,308	 2,934,498
 Total, Capital Budget	 \$ 32,156,949	 \$ 107,176,132

Method of Financing (Capital Budget):

General Revenue Fund	\$32,156,949 &UB	\$27,176,132 &UB
Bond Proceeds - General Obligation Bonds	UB	80,000,000 &UB
 Total, Method of Financing	 \$ 32,156,949	 \$ 107,176,132

2. **Disposition of Construction Appropriation.** Construction appropriations may be used to pay salaries of engineers, architects, superintendents, supervisors and administrative expenses and support personnel of construction projects; architectural fees and the actual and necessary travel expenses incurred by them or their representatives in making special trips of inspection at the instance of the Board of Criminal Justice or the Department of Criminal Justice's Executive Director or designee during construction or repair of buildings or installation of fixed equipment in such buildings. The State Classification Officer shall approve job titles and rates of pay for such salaried positions.
3. **Temporary Loan of Construction Resources.** The Texas Department of Criminal Justice (TDCJ) may temporarily utilize materials and equipment acquired and personnel paid from one project appropriated for construction, repairs, and renovation, including construction of additional capacity, and building maintenance, to construct any other similar project for which funds have been appropriated. The receiving project must reimburse the providing project within twelve months with funds and/or a like amount of materials, equipment, equipment usage or personnel of equivalent value. Reimbursement with funds may be accomplished by transfer in a manner which records appropriate expenditures to the borrowing project and negative expenditures to the lending project. These transfers may be summary amounts in a manner approved by the Comptroller of Public Accounts. However, the TDCJ must maintain adequate detailed records to support such summary transfer amounts.
4. **Appropriation: Unexpended Balances of Construction Bonds.** Any unexpended balances as of August 31, 2001, for the Texas Department of Criminal Justice (TDCJ) in the general obligation bond appropriations made by the Seventy-sixth Legislature and Seventy-seventh Legislature for construction appropriations are hereby appropriated to the TDCJ for the biennium beginning September 1, 2001, provided that such appropriated funds shall not be expended without approval of the Board of Criminal Justice and that copies of such approvals shall be filed with the Governor and the Legislative Budget Board. Unexpended balances appropriated for the 2002-03 biennium may be used only for facilities repair and rehabilitation projects and shall not be used for the construction of additional facilities. (fiscal year 2001 UB estimated to be \$5,000,000).

## DEPARTMENT OF CRIMINAL JUSTICE

(Continued)

5. **Architectural Fees.** Notwithstanding other provisions of this Act, in those instances where inmate labor is used on construction projects, the Department of Criminal Justice is authorized to pay architectural fees based on the estimated total cost of a project as if it were to be done by a private contractor. The Department shall employ an independent firm, separate from the architect, to estimate the total cost of a project. Architectural fees based on the estimated cost shall be governed by other provisions of this Act.
6. **Construction Encumbrances.** Any funds legally encumbered for construction contracts for projects which are in effect as of August 31, 2001, are considered encumbered and may be carried forward to fiscal year 2002.
7. **Oversight of Construction Projects.** The Department of Criminal Justice shall contract with the Texas Youth Commission and the Juvenile Probation Commission to provide construction management services for all Youth Commission and Juvenile Probation Commission construction projects involving the expenditure of bond funds.
8. **Review of Construction Change Orders.** It is the intent of the Legislature that the Texas Department of Criminal Justice (TDCJ), upon the review of any change order, develop a procedure whereby cause of such change order shall be determined and documented in the project file. If it is determined that the change was necessitated by the error or omission of any contracted party, the TDCJ shall hold such party financially responsible.
9. **Utilization of Existing Correctional Facilities.** It is the intent of the Legislature that full consideration be given to utilizing existing correctional facilities located in the State of Texas and currently owned or operated by federal or local governments. Appropriations to the Department may be used for the purposes of leasing, purchasing or contracting for operations if agreements can be reached which are beneficial to the State.
10. **Prison Construction Prioritization.** It is the intent of the Legislature that the Department of Criminal Justice prioritize any construction of additional capacity in such a way as to ensure the expeditious completion of any units on which work had been started and subsequently suspended.
11. **Salary Adjustment Authorized.** Notwithstanding other provisions of this Act, the Texas Department of Criminal Justice is authorized to adjust salaries of the following position series to rates within the designated salary group for the purpose of recruiting, employing, and retaining career correctional personnel:
  - a. Correctional Officer;
  - b. Sergeant, Lieutenant, Captain, and Major of Correctional Officers;
  - c. Food Service Manager;
  - d. Laundry Manager;
  - e. Caseworker and Parole Officer; and
  - f. Human Services Technician and Case Manager.

Merit raises are prohibited for all employees who are receiving or are eligible to receive step adjustments in the career ladder system. However, the Texas Department of Criminal Justice is authorized to adjust the salary of employees in the positions identified above in an amount not less than 4 percent or \$1,200 per year, whichever is greater. This authority may be utilized only for an employee who would not otherwise receive a career ladder adjustment during the 2002–03 biennium. It is the intent of the Legislature that all employees progressing through a career ladder receive at least a 4 percent or \$1,200 increase, whichever is greater, during the 2002–03 biennium.

## DEPARTMENT OF CRIMINAL JUSTICE

(Continued)

12. **Appropriation: Meals Authorized.** Department employees assigned to work inside correctional facilities or on travel status may receive up to two free meals per shift and employees residing in employee dormitories may receive three free meals per day. None of the funds appropriated above shall be utilized to provide meals to other employees for a charge of less than \$1.00 per meal or to grow, purchase, prepare, or provide food products for employees to use at their homes. All meal fees received are appropriated above in Strategy C.1.2, Institutional Goods/Services. Any fees collected in excess of \$18,887 in fiscal year 2002 and \$18,887 in fiscal year 2003 are hereby appropriated to the Department for the same purpose.
13. **Restriction, Food Service.** The Texas Department of Criminal Justice may provide food items to employees in employee dining facilities, only after the food requirements of inmates are met. The food served to inmates shall be of the same quality as food served to employees.
14. **Payroll Deduction.** Fees for employee services will be made by payroll deduction whenever practical.
15. **Benefit Policy Required.** The Board of Criminal Justice shall adopt a written policy relating to benefits provided in Riders 12 and 17 specifying the criteria used to award these benefits to employees, and shall develop a system to account for all costs related to these benefits and all revenues from collection of fees. The Board of Criminal Justice policy shall be filed annually with the Governor, the Legislative Budget Board, and the Legislative Reference Library.
16. **Appropriation: State-owned Housing Authorized.**
  - a. The Department's Regional Directors, Chief Wardens, Assistant Wardens, Majors of Correctional Officers, Captain of Correctional Officers, Lieutenant of Correctional Officers, Kennel Sergeants, Maintenance Supervisors, and Fire/Safety Managers at each facility are authorized to live in state-owned housing at rental rates determined by the Department.
  - b. Other Department employees may live in available state-owned housing as set forth in Article IX, § 9.09, State Owned Housing - Recover Housing Costs of this Act.
  - c. All fees received for employee housing are appropriated above in Strategy C.1.2, Institutional Goods/Services to be used for maintaining employee housing. Any fees collected in excess of \$442,749 in fiscal year 2002 and \$442,749 in fiscal year 2003 are hereby appropriated to the Department for the same purpose.
  - d. Notwithstanding Article IX, § 9.09 the Department may allocate housing at reduced or no cost to employees with a demonstrated need based on location and job description.
17. **Appropriation: Laundry Service.** The Department may launder or dry clean the uniforms of correctional officers at no charge. None of the funds appropriated above may be used to launder or dry clean other employee clothing or to provide other services unless fees are charged to recover the cost of providing the services. All fees collected for laundry and other related services are appropriated above in Strategy C.1.2, Institutional Goods/Services. Any fees collected in excess of \$736,809 in fiscal year 2002 and \$736,809 in fiscal year 2003 are hereby appropriated to the Department for the same purpose.
18. **Inmate Labor.** It is the intent of the Legislature that inmate labor not be used to provide personal services for employees. Inmate labor may be used to provide maintenance and upkeep to state property and equipment.
19. **Employee Medical Care.** Appropriations made in this Act not otherwise restricted in use may also be expended to provide medical attention and hospitalization by correctional medical

## DEPARTMENT OF CRIMINAL JUSTICE

(Continued)

staff and the correctional hospital facilities, or to pay necessary medical expenses for employees injured while performing the duties of any hazardous position which is not reimbursed by workers' compensation and/or employees' state insurance. For the purpose of this section, "hazardous position" shall mean one for which the regular and normal duties inherently involve the risk or peril of bodily injury or harm. Appropriations made in this Act not otherwise restricted in use may also be expended for medical tests and procedures on employees that are required by federal or state law or regulations when the tests or procedures are required as a result of the employee's job assignment or when considered necessary due to potential or existing litigation.

20. **Compensatory Time.** Exceptions to the prohibition against substituting other days for holidays may be authorized by the Director of the Texas Department of Criminal Justice for employees who are required to work on holidays due to the continuing operation of the Department. Any employee who is required to work on any of the holidays authorized in the general provisions of this Act, and who does work on any of the said holidays, shall be entitled to compensating time off to be taken on such day as may be mutually agreed upon by the employee and his supervisor.
21. **Hazardous Duty Pay.** It is the legislative intent that all persons receiving hazardous duty pay as of August 31, 1985, continue to receive it. However, all persons hired after August 31, 1985, must occupy positions approved by the Texas Board of Criminal Justice and meet statutory criteria to receive hazardous duty pay.
22. **Employment Limitation.** It is the intent of the Legislature that no one shall be employed by the Department of Criminal Justice who, in the course of his official duties, conducts business with individuals or firms with which the employee has either a direct or indirect financial interest.
23. **Grievance Procedures.** The Board of Criminal Justice shall maintain employee disciplinary and grievance procedures in compliance with this section.

The Board's disciplinary procedures shall allow an employee of the department to be represented by a designee of the employee's selection who may participate in the hearing on behalf of an employee charged with any type of disciplinary violation.

The Board's grievance procedure shall attempt to solve problems through a process which recognizes the employee's right to bring grievances pursuant to the procedures in this section. The grievance procedure shall include either independent mediation or independent, non-binding arbitration of disputes between the employer and the employee if the disciplining authority recommends that the employee be terminated or the employee is terminated.

Any grievance or disciplinary hearing in which a department employee serves as a representative shall be held during normal business hours on a week day, unless the employer and employee agree otherwise. The employee subject to the hearing attends such hearing as a part of regular employment duties. An employee representative who is a department employee must obtain prior approval to be placed on unpaid leave to attend a hearing.

Nothing in this provision shall authorize expenditures of appropriated funds not authorized elsewhere in this Act.

24. **Transfer Authority within and between Goals.** Subject to capital budget provisions contained in this Act, the Texas Department of Criminal Justice is authorized to transfer such amounts as may be necessary within appropriations made for each goal.

Funds may be transferred between goals; provided, that before any transfer between goals which will have the cumulative effect of changing expenditures for any goal by more than 20



## DEPARTMENT OF CRIMINAL JUSTICE

(Continued)

percent of the amount appropriated for that goal for the fiscal year, written notification of intent to transfer be provided the Governor, the Legislative Budget Board, the Senate Finance Committee, and the House Appropriations Committee.

25. **Petty Cash Fund Authorized.** The local Petty Cash Revolving Fund in the amount of \$10,000 is continued for the biennium beginning September 1, 2001, and may be used to advance or reimburse transfer agents and for the care and maintenance of convicted felons while enroute to the department from points in Texas and elsewhere in the United States; and for the payment of C.O.D. freight and express charges and similar items requiring immediate cash disbursements. The funds shall be reimbursed by warrants drawn and approved by the Comptroller out of appropriated funds to the Texas Department of Criminal Justice.
26. **Revolving Fund Authorized.** The local Inmate Release Revolving Fund of \$500,000 is continued for each year of the biennium beginning September 1, 2001, and is deposited in a bank or banks in Texas; and all inmates released on parole, mandatory supervision, discharge, or conditional pardon shall be paid out of this fund. The fund shall be reimbursed by warrants drawn and approved by the Comptroller out of appropriated funds to the Texas Department of Criminal Justice.
27. **Appropriation: Agriculture Receipts.** It is the intent of the Legislature that each year of the biennium the Texas Department of Criminal Justice (TDCJ) may exchange agricultural products for other agricultural products and finished goods, and all revenue accruing from the sale of agricultural commodities or livestock and other revenues as they apply to sales of equipment, salvage, refunds and to recover damage claims are appropriated above in Strategy C.1.2, Institutional Goods/Services. Any revenues collected in excess of \$5,006,526 in fiscal year 2002 and \$5,006,526 in fiscal year 2003 are hereby appropriated to the Department for agricultural operations. Any unexpended balance up to \$2,000,000 remaining from revenues on August 31, 2001, and August 31, 2002, is appropriated to allow for continuity of agricultural production and sales cycles which do not conform to fiscal years (fiscal year 2001 UB estimated to be \$0).
28. **Appropriation: Acceptance of Grants, Gifts.** The Board of Criminal Justice is authorized to accept federal grants, donations and gifts, including those of real property, for the programs and projects of the agency. All such gifts, donations, and grants are appropriated above in Strategy C.1.1, Security/Classification, for the purposes for which they are made available; provided, however, that in taking advantage of or accepting such funds, the Board shall not incur any indebtedness which would necessitate a supplemental or additional appropriation out of any funds of this State nor deplete any of the funds herein appropriated to an amount which would necessitate a supplemental or additional appropriation out of any funds of this state to replenish said fund or funds.
29. **Appropriation: Controlled Substance Receipts.** All funds received under Chapter 59, Code of Criminal Procedure, and Chapter 71, Property Code, VTCA, by the Texas Department of Criminal Justice are hereby appropriated above in Strategy F.1.1, Central Administration, to be used for law enforcement purposes. Any funds unexpended at the close of each fiscal year are appropriated for the following year (fiscal year 2001 UB estimated to be \$0).
30. **Supply Revolving Fund Authorized.** The State Comptroller shall establish a separate account from which consumable supply costs shall be paid. From funds herein appropriated, the Department may establish, maintain, and operate on a reimbursable basis a supply revolving fund which will contribute to the efficiency and economical operation of the Department.

## DEPARTMENT OF CRIMINAL JUSTICE

(Continued)

Rules shall be established to avoid depletion of the revolving fund. To reimburse the fund from which expenditures are made, the Department may make fund transfers from the appropriations of the activities which receive the supplies or may submit purchase vouchers through the Office of the State Comptroller.

31. **Appropriation: Texas Correctional Industries Receipts.** All receipts collected from the sales of products produced by Texas Correctional Industries (TCI) are appropriated above in Strategy C.2.1, Texas Correctional Industries. Any receipts collected in excess of \$48,387,306 in fiscal year 2002 and \$48,705,306 in fiscal year 2003 are hereby appropriated to the Department for the continued production of TCI goods and services. Any unexpended and unobligated balance up to \$5,000,000 remaining from TCI revenues on August 31, 2001, and August 31, 2002, is appropriated to the Department for the same purpose. The State Comptroller shall transfer any unobligated fund balances from Texas Correctional Industries receipts in excess of \$5,000,000 to the General Revenue Fund at the end of each fiscal year. (fiscal year 2001 UB estimated to be \$4,000,000).
32. **Appropriation: Unexpended Balances for Increased Offender Populations.** In order to operate new correctional facilities or programs necessary for increased offender populations under the Department's supervision, unexpended balances from appropriations made to the Department of Criminal Justice for fiscal year 2002 are hereby appropriated to the Department for fiscal year 2003 contingent upon written notification to the Governor and the Legislative Budget Board by the Texas Board of Criminal Justice, not less than 30 days prior to encumbrance, which details the amount and purpose of expenditures of funds carried forward into fiscal year 2003 under authority of this provision.
33. **Transfer Limitation.** Upon any order from a federal court that requires the Texas Department of Criminal Justice to transfer funds from any appropriation made hereinabove, those funds which were attempted to be transferred shall lapse and the Comptroller shall return the amount appropriated to its respective source.
34. **Reengineering.** It is the intent of the Legislature that the Department of Criminal Justice automate the offender management function to the greatest extent possible. To this end, the Department may contract for automation/reengineering assistance after receiving prior approval from the Legislative Budget Board. Funds for this payment may come from benefits and savings as realized.
35. **Council on Impaired Offenders.** The Department shall continue current administrative, client services, and services of the Council on Offenders with Mental Impairments.
36. **Payments - County Prosecutors.** Out of funds appropriated above the district clerks in counties with Texas Department of Criminal Justice operational correctional facilities are to be allocated during each year of the biennium, an amount not to exceed \$12,000 annually, to be allocated in equal monthly installments for the purpose of supporting enhanced efforts to prosecute persons charged with controlled substances violations on Texas Department of Criminal Justice property.
37. **Appropriation: Recreational Facility Fees.** Fees charged for recreation facilities owned and operated by the Department are to be deposited in a special account with the Comptroller of Public Accounts. All recreational facility fees received are appropriated above in Strategy C.1.2, Institutional Goods/Services. Any fees collected in excess of \$27,837 in fiscal year 2002 and \$27,837 in fiscal year 2003 are hereby appropriated to the Department for continued operation and maintenance of the Department's recreational facilities. Any balances on hand August 31, 2001, are hereby appropriated for the 2002-03 biennium for the operation and maintenance of the facilities (fiscal year 2001 UB estimated to be \$0).

## DEPARTMENT OF CRIMINAL JUSTICE

(Continued)

38. **Purchasing Through Request for Proposal.** The Texas Department of Criminal Justice may purchase care, treatment services, and residential services through the Request for Proposal process.

The Texas Department of Criminal Justice shall:

- a. negotiate purchases to achieve fair and reasonable prices at rates that do not exceed any maximum provided by law, and
  - b. select service providers according to each provider's qualifications and demonstrated competence.
39. **Parole Supervision Ratio.** It is the intent of the Legislature that in fiscal years 2002 and 2003 a ratio of 75 active releasees to one parole officer be maintained. The ratio will be calculated by dividing the number of supervising parole officers and caseworkers currently employed into the total number of releasees supervised, exclusive of those under intensive and super intensive supervision, for which a ratio of 25 and 20 releasees to one supervising officer respectively is to be maintained. In the event that this ratio is not maintained, the Texas Department of Criminal Justice shall file a statement documenting the reasons for noncompliance with the Governor and the Legislative Budget Board.
40. **Misdemeanor Funding.** The Texas Department of Criminal Justice shall distribute funds at a rate not to exceed \$.70 per day for each misdemeanor defendant directly supervised by a community supervision and corrections department. Funding for each misdemeanor defendant may not exceed the period of time authorized by statute.
41. **Battering Intervention Program.** Out of funds appropriated above in Strategy A.1.2, Diversion Programs, the Texas Department of Criminal Justice shall allocate \$1,250,000 in fiscal year 2002 and \$1,250,000 in fiscal year 2003 for funding the Battering Intervention and Prevention Program (BIPP) in the manner required by Article 42.141 of the Code of Criminal Procedure. The BIPP funding shall be from the GR-Dedicated Compensation to Victims of Crime Account No. 469. The BIPP shall be administered using a statewide allocation of direct grants from TDCJ to local non-profit organizations in the manner described in VTCA, Government Code § 509.011. Funds subject to this provision shall be allocated at the local level and designated for use only for these programs. Funds subject to this provision may not be utilized for administrative expenses of local community supervision and corrections departments nor may they be used to supplant local funding.
42. **Appropriation: Refunds of Unexpended Balances from CSCDs.** The Texas Department of Criminal Justice (TDCJ) shall maintain procedures to ensure that the state is refunded all unexpended and unencumbered balances of state funds held as of the close of this biennium by local community supervision and corrections departments (CSCDs). All fiscal years 2000–01 refunds received from CSCDs by TDCJ are appropriated above in Strategies A.1.1, Basic Supervision, A.1.2, Diversion Programs, A.1.3, Community Corrections, and C.2.4, Substance Abuse Treatment. Any Basic Supervision refunds received in excess of \$5,600,000 in fiscal year 2002 are hereby appropriated to TDCJ for Basic Supervision. Any Diversion Programs refunds received in excess of \$2,300,000 in fiscal year 2002 are hereby appropriated to TDCJ for Diversion Programs. Any Community Corrections refunds received in excess of \$3,200,000 in fiscal year 2002 are hereby appropriated to TDCJ for Community Corrections. Any Substance Abuse Treatment refunds received in excess of \$1,000,000 in fiscal year 2002 are hereby appropriated to TDCJ for the Treatment Alternative to Incarceration Program.
43. **Transportation - Substance Abuse.** The Department of Criminal Justice shall provide transportation for inmates who are released from Substance Abuse Felony Punishment (SAFP) or In-Prison Therapeutic Community (IPTC) facilities and transferred to a residential setting.

## DEPARTMENT OF CRIMINAL JUSTICE

(Continued)

44. **Project RIO.** It is the intent of the Legislature that the Texas Workforce Commission, the Texas Department of Criminal Justice, and the Texas Youth Commission together enhance the effectiveness of Project RIO by improving cohesive program delivery among the three agencies. The agencies shall together develop and implement a biennial strategic plan for the implementation of a more cohesive and effective Project RIO program which will emphasize necessary skill development, rehabilitation and appropriate assessment of the offender prior to release. Not later than March 1, 2002, the biennial strategic plan, jointly prepared by the three agencies, and including specific strategies, measures, timeframes for program improvement, and a methodology for program evaluation, shall be submitted to the Legislative Budget Board and the Governor. With regards to appropriations for Project RIO, while total project funds are appropriated to the Texas Workforce Commission, interagency contracts are to be maintained during the 2002–03 biennium with the Texas Department of Criminal Justice at no less than the funding and performance levels maintained as of August 31, 2001.
45. **Aircraft Authorization.** The Texas Department of Criminal Justice (TDCJ) is authorized to own or lease, operate, and maintain one aircraft and to replace it if necessary. In the event that a temporary need arises, the TDCJ is authorized to expend funds for the lease or rental of aircraft on an as-needed basis.
46. **Expenditure Limitation - Windham School District.** None of the funds provided to the Windham School District through the Texas Education Agency shall be expended unless the Board of Criminal Justice has approved an annual operating budget for the school district prior to the expenditure of any funds. The Department of Criminal Justice shall file a copy of that operating budget of the Windham School District with the Governor, the Legislative Budget Board and the appropriate legislative oversight committees at the beginning of each fiscal year.
47. **Residential Status of Inmates.** All inmates of the Texas Department of Criminal Justice are, for educational purposes only, residents of the State of Texas.
48. **Postsecondary Education Programs.** Postsecondary education courses shall only be available to inmates who have:
- demonstrated a clear and convincing record of rehabilitation while incarcerated, and
  - demonstrated an interest in a field of study that lends itself to performing specific and beneficial tasks while incarcerated, and
  - demonstrated the aptitude and capabilities to do college level study.

The costs of such postsecondary education programs shall be reimbursed by the inmate as a condition of parole.

The Department of Criminal Justice shall not provide in-cell tutoring for inmates who are in administrative segregation.

The Department of Criminal Justice may not transfer appropriations out of Strategy C.2.2, Academic/Vocational Training.

49. **Appropriation: Education and Recreation Program Receipts.** All receipts collected from the operation of facility commissaries and all gifts and other income for inmate welfare accruing together with Education and Recreation Program account balances at the beginning of each year of the biennium beginning September 1, 2001 are hereby appropriated above in Strategy C.1.2, Institutional Goods/Services to the Department of Criminal Justice subject to the following provisions:

## DEPARTMENT OF CRIMINAL JUSTICE

(Continued)

- a. all receipts collected shall be deposited in accordance with applicable statutes: (1) in the General Revenue Fund of the State Treasury; (2) in trust with the State Comptroller; or (3) in a local bank account on approval by the State Comptroller.
- b. salaries of personnel employed by the Education and Recreation Program shall conform with the provisions of the Classification Plan except as otherwise provided by this Act.
- c. funds deposited in Education and Recreation Program accounts shall be expended only with the advance, written approval of the Board of Criminal Justice.
- d. it is the intent of the Legislature that Education and Recreation Program receipts be expended first for the construction, maintenance, equipment and operations of recreational facilities and for the income producing operations of the program. Any remaining balances may be expended for other programs benefiting the welfare of department confinees.

Any Education and Recreation Program receipts collected in excess of \$69,573,520 in fiscal year 2002 and \$69,573,520 in fiscal year 2003 are hereby appropriated to the Department subject to the above-cited provisions.

- 50. **Private Sector Prison Industries Oversight Authority.** Out of funds appropriated above in Strategy E.2.2, Residential Parole, the Texas Department of Criminal Justice shall provide reimbursement of travel expenses incurred by members of the Private Sector Prison Industries Oversight Authority in accordance with VTCA, Government Code § 497.055 and provisions of this Act related to the per diem of board or commission members.
- 51. **Appropriation: Sex Offender Notification Fees.** All fees collected from offenders for reimbursement to local law enforcement authorities for costs incurred in providing notice for publication to a newspaper in accordance with VTCA, Government Code § 508.186, are appropriated above in Strategy E.2.1, Parole Supervision, for reimbursing local law enforcement authorities. Any fees collected in excess of \$10,000 in fiscal year 2002 and \$10,000 in fiscal year 2003 are hereby appropriated to the Department for the same purpose.
- 52. **Appropriation: Parole Supervision Fees.** All parole supervision fees collected from offenders in accordance with VTCA, Government Code § 508.182, are appropriated above in Strategy E.2.1, Parole Supervision. Any fees collected in excess of \$8,985,000 in fiscal year 2002 and \$10,108,000 in fiscal year 2003 are hereby appropriated to the Department for parole supervision.
- 53. **Appropriation Transfers Between Fiscal Years.** In addition to the transfer authority provided elsewhere in this Act, the Texas Department of Criminal Justice may transfer appropriations in an amount not to exceed \$150 million made for fiscal year 2003 to fiscal year 2002, subject to the following conditions provided by this section:
  - a. transfers under this section may be made only:
    - (1) if correctional populations exceed the capacity of the Department, or
    - (2) if Federal Funds for Incarcerated Aliens appropriated in fiscal year 2002 to the Department are not received in the amount identified in the method of finance for that year, or
    - (3) for any other emergency expenditure requirements, including expenditures necessitated by public calamity.

## DEPARTMENT OF CRIMINAL JUSTICE

(Continued)

- b. a transfer authorized by this section above must receive the prior approval of the Governor and the Legislative Budget Board.
  - c. the Comptroller of Public Accounts shall cooperate as necessary to assist the completion of a transfer and spending made under this section.
54. **Texas Correctional Industries Advisory Committee.** Out of funds appropriated above in Strategy C.2.1, Texas Correctional Industries, the Texas Department of Criminal Justice shall provide reimbursement of travel expenses incurred by members of the Texas Correctional Industries Advisory Committee for duties performed in accordance with VTCA, Government Code § 497.003 and subject to provisions of this Act related to the per diem of board or commission members.
55. **Appropriation: Unexpended Balances of Reengineering Project Funds.** Any unexpended balances as of August 31, 2001, in appropriations made to the Texas Department of Criminal Justice in Strategy F.1.2, Information Resources, for reengineering are hereby appropriated to the Department for the biennium beginning September 1, 2001, for continuation of the Department's reengineering project (estimated to be \$0).
56. **Harris County Boot Camp.** Out of funds appropriated above in Strategy A.1.2, Diversion Programs, \$6,500,000 in fiscal year 2002 and \$6,500,000 in fiscal year 2003 in discretionary grants shall be made to the Harris County Community Supervision and Corrections Department for the continued operations of the Harris County Boot Camp.
57. **Chaplaincy Programs.** Out of funds appropriated above in Strategy C.2.3, Treatment Services, the Texas Department of Criminal Justice shall allocate \$150,000 in fiscal year 2002 and \$150,000 in fiscal year 2003 to fund the enhancement of Chaplaincy Programs.
58. **Managed Health Care - Reporting Requirements.** The Correctional Managed Health Care Committee is required to submit to the Legislative Budget Board and Governor a report detailing:
- a. correctional managed health care actual and projected expenditures for on-site, off-site and pharmaceutical costs;
  - b. health care cost for inmates over age 55 including utilization data; and
  - c. other health care information determined by the Office of the Governor and the Legislative Budget Board.
- Such reports shall be submitted on a quarterly basis.
59. **Managed Health Care - Actuarial Study.** The Correctional Managed Health Care Committee shall contract for a biennial actuarial study of its capitation rate including an analysis of costs that should be included or excluded in developing its on-site and off-site capitation rates.
60. **Managed Health Care Operational Shortfalls.** For the purpose of offsetting operational shortfalls occurring in correctional managed health care and out of funds appropriated above, the Department shall transfer funds as necessary into Strategy C.1.4, Managed Health Care, for payment to the Correctional Managed Health Care Committee to address any managed health care operational shortfalls for fiscal years 2002–03, not to exceed \$5 million for the biennium. If the Department and Committee do not agree on transfer amounts deemed necessary, supporting documentation shall be provided to the Governor and the Legislative Budget Board. The Governor and Legislative Budget Board shall then make the final decision.

## DEPARTMENT OF CRIMINAL JUSTICE

(Continued)

61. **Computer Refurbishing Program.** The Texas Department of Criminal Justice shall develop and implement an inmate work program in which donated, second-hand computers are refurbished in prisons for use by public schools.
62. **Parole Transitional Support Program.** Out of funds appropriated above in Strategy A.1.1, Basic Supervision, TDCJ shall transfer \$50,000 for each fiscal year of the 2002–03 biennium to Strategy E.2.1, Parole Supervision, to be used to support the Transitional Support Program. The TDCJ shall use these funds for the sole purpose of providing contracts for services with recognized non-profit organizations in order to facilitate parolees with their transition from incarceration to release on parole. The contracted services shall emphasize and promote family support and involvement in the transition and should establish the goal of reducing recidivism rates of the individuals who participate in the program.
63. **Capital Expenditures Authorized.** Notwithstanding the limitations placed on the expenditure of funds for capital budget items contained in the general provisions of this Act, the Texas Department of Criminal Justice is hereby authorized to expend funds appropriated to the Texas Department of Criminal Justice for the acquisition of capital budget items and unforeseen building maintenance as approved by the Texas Board of Criminal Justice.
64. **Contracted Temporary Capacity.** The Texas Department of Criminal Justice shall develop a plan to reduce capacity in Strategy C.1.5, Contracted Temporary Capacity, when the TDCJ inmate population falls below 145,006. This number is the equivalent of 5,000 beds below the operational capacity of 150,006. The department shall inform the Governor and the Legislative Budget Board when this point has been reached. The department, working in conjunction with the Criminal Justice Policy Council, shall develop within 30 days a plan to reduce contracted temporary capacity and implement the plan upon approval of the Governor and the Legislative Budget Board. Upon approval by the Legislative Budget Board and the Governor, savings generated by the reduction in contracted temporary capacity shall be utilized by the department for the following programs:
  - (1) Community Corrections Residential Beds (maximum of 500 beds and must be through contractual arrangements);
  - (2) Major Maintenance and Repair/Rehabilitation of TDCJ Facilities; and
  - (3) Community Supervision Specialized Caseloads.
65. **Career Ladder Adjustments.** Funds appropriated above to the Texas Department of Criminal Justice (TDCJ) in Strategy C.1.1, Security/Classification; Strategy C.1.2, Institutional Goods/Services; Strategy E.1.1, Board of Pardons and Paroles; Strategy E.1.2, Parole Selection; and Strategy E.2.1, Parole Supervision, include \$103,587,860 to fully implement salary adjustments for correctional officers and ranking staff, laundry and food service managers, and parole officers and case managers. Notwithstanding other provisions of this Act, these funds shall not be used for other purposes without the prior written approval of the Governor and the Legislative Budget Board. It is the intent of the Legislature that these funds assist the department in the recruitment and retention of qualified correctional staff. To document these efforts, TDCJ shall submit a biennial report on its recruitment and retention efforts to the Governor and the Legislative Budget Board not later than January 1, 2003. The report shall include information on vacancy rates, turnover rates, average years of service, and average number of continuing education training hours for security and nonsecurity staff.
66. **Mental Health Services.** Funds appropriated above to the Texas Department of Criminal Justice (TDCJ) in Strategy A.1.2, Diversion Programs, and Strategy B.1.1, Special Needs Projects, include \$31,000,000 for enhanced mental health services. Funds appropriated in Strategy A.1.2, Diversion Programs, include \$8,000,000 to establish specialized mental health caseloads. Funds appropriated in Strategy B.1.1, Special Needs Projects, include \$10,000,000 to provide case management and mental health services for juvenile probationers, \$5,000,000 for

## DEPARTMENT OF CRIMINAL JUSTICE

(Continued)

aftercare mental health services for parolees under the supervision of the Texas Youth Commission, and \$6,000,000 to provide case management and mental health services for adult probationers.

67. **Treatment Alternative to Incarceration Program.** The Texas Department of Criminal Justice is directed to expend at least \$6.5 million each year of the biennium on the Treatment Alternative to Incarceration Program as specified in Government Code § 76.017.
68. **Contract Review.** It is the intent of the Legislature that the Texas Department of Criminal Justice shall review its contracts with county jails and private vendors that provide contract services to the department for prison, parole, and state jail beds. The department shall determine whether contracts with counties and private vendors pay an appropriate rate to retain an adequate capacity of contract beds to ensure that the state will not face a shortage of prison capacity during the next biennium. The department shall first review the contracts which have the lowest rates and have not had rate increases for the longest period of time. If the department determines that rate increases are necessary, it may fund such increases out of funds appropriated.
69. **Inmate Phone System.** The Texas Board of Criminal Justice may institute a pilot program through which inmates in state jails will be permitted to make telephone calls at the discretion of employees of the state jails where the pilot program occurs. The board shall implement provisions to prohibit abuse by inmates. Such provisions will include, at minimum, the establishment and review of specific call lists, the prohibition of phone calls to individuals or phone numbers not on the approved list, and the inapplicability of such services as call forwarding or three-way calling.
- The vendor shall pay the department not less than 50 percent of gross revenue received for such calls placed by inmates and the cost of such calls shall not exceed comparable rates for long distance service. All such payments received as a result of the trial shall be used for the benefit of crime victims, as provided in Article 56.54, Code of Criminal Procedure.
70. **Human Resources Management Plan.** From funds appropriated above, the Texas Department of Criminal Justice shall develop a Human Resources Management Plan designed to improve employee morale and retention. The plan must focus on reducing employee turnover through better management. The Texas Department of Criminal Justice shall report, by October 1 of each year of the biennium, to the Senate Finance Committee, the House Committee on Appropriations, the Legislative Budget Board, and the Governor's office the employee turnover rate, by job category, at the agency during the preceding fiscal year. The effectiveness of an agency's plan shall be measured by whether or not there is a reduction in annual employee turnover rates at the agency, specifically by the reduction in the turnover rates for correctional officers.
71. **Criminal Justice Initiatives.** The Texas Department of Criminal Justice shall transfer \$90,000 in fiscal year 2002 and \$96,120 in fiscal year 2003 from Strategy E.1.1, Board of Pardons and Paroles, to the Criminal Justice Policy Council for the monitoring and evaluation of criminal justice initiatives.
72. **Texas Board of Criminal Justice.** It is the intent of the Legislature that the Texas Board of Criminal Justice hold its meetings in Austin, Texas unless there is an exceptional reason to meet in Huntsville, Texas.
73. **Ombudsman Activity.** It is the intent of the Legislature that the Ombudsman for the Texas Department of Criminal Justice (TDCJ) respond to all agency and legislatively referred complaints in a timely manner. The TDCJ shall develop performance measures, trend analysis,



DEPARTMENT OF CRIMINAL JUSTICE  
(Continued)

and a method of resolution for issues presented. The TDCJ shall provide summary reports regarding this activity to the Legislative Budget Board and the Governor on a quarterly basis.

74. **Correctional Officer Training.** Out of funds appropriated above, the Texas Department of Criminal Justice shall provide at least 284 hours of training for new correctional officers.
75. **InnerChange Freedom Initiative.** Out of funds appropriated above in Strategy C.2.3, Treatment Services, the Texas Department of Criminal Justice shall allocate \$750,000 in fiscal year 2002 and \$750,000 in fiscal year 2003 to fund the expansion of the InnerChange Freedom Initiative.
76. **West Texas Disaster Recovery and Operations Center.** It is the intent of the Legislature that the Texas Department of Criminal Justice transfer its mainframe computer operations to the West Texas Disaster Recovery and Operations Center.
77. **Safe Prisons Program.** It is the intent of the Legislature that out of funds appropriated above the Texas Department of Criminal Justice (TDCJ) establish and maintain a Safe Prisons Program for the purpose of preventing and limiting the number of sexual assaults by inmates on inmates. Strategies to prevent sexual assaults that may be used in the Safe Prisons Program include, but are not limited to, use of protective custody; use of an inmate’s assault history in making cell assignments; use of an inmate’s likelihood of victimization in cell assignments; education of correctional officers on the importance of preventing sexual assault; education of new prisoners on the risks of sexual assault, including prosecution; and use of surveillance cameras. TDCJ shall report annually to the Legislative Budget Board and the Governor the number of sexual assaults by inmates on inmates and the actions taken on each assault. Additional reporting elements may be established by the Legislative Budget Board and the Governor. It is the intent of the Legislature that TDCJ designate a Safe Prisons Program coordinator who reports directly to the TDCJ Executive Director.
78. **Contingency Appropriation for House Bill 3064 and House Joint Resolution 97.** Out of funds appropriated above in Strategy D.1.1, Facilities Construction, \$80,000,000 from general obligation bond or note proceeds is contingent on enactment of House Bill 3064 and the adoption and voter approval of House Joint Resolution 97, or similar legislation, and is appropriated for fiscal year 2003 for capital expenditures related to the repair and rehabilitation of buildings and facilities and the expansion of the Western Regional Medical Facility at the Montford Psychiatric Facility as authorized by the constitutional amendment proposed in House Joint Resolution 97 and House Bill 3064.

CRIMINAL JUSTICE POLICY COUNCIL

		For the Years Ending	
		August 31, 2002	August 31, 2003
<b>A. Goal: EFFECTIVE CRIMINAL JUSTICE SYSTEM</b>			
Develop means to promote a more effective and cohesive state criminal justice system.			
<b>Outcome (Results/Impact):</b>			
Programs Evaluated		13	13
Assessment Instruments Developed		8	8
<b>A.1.1. Strategy: EVALUATIONS TO REDUCE RECIDIVISM</b>			
Evaluate the criminal justice programs and assist other agencies in the evaluation of programs directed at reducing recidivism.		\$ 463,917	\$ 485,073

CRIMINAL JUSTICE POLICY COUNCIL  
(Continued)

<b>Output (Volume):</b>		
Programs Designed	16	16
<b>A.2.1. Strategy:</b> PROJECTION DEVELOPMENT Develop adult and juvenile correctional population projections and impact studies for use by public officials.	\$ 480,650	\$ 505,518
<b>A.2.2. Strategy:</b> JUVENILE JUSTICE STUDIES Collect juvenile justice data to study and monitor juvenile sentencing patterns in the state to assist in the development and evaluation of policies, to determine the impact of reforms, and to develop effective delinquency prevention, diversionary or treatment programs.	\$ 417,127	\$ 436,055
<b>Total, Goal A:</b> EFFECTIVE CRIMINAL JUSTICE SYSTEM	\$ 1,361,694	\$ 1,426,646
<b>Grand Total,</b> CRIMINAL JUSTICE POLICY COUNCIL	\$ 1,361,694	\$ 1,426,646
<b>Method of Financing:</b>		
General Revenue Fund	\$ 1,221,694	\$ 1,280,526
Federal Funds	50,000	50,000
Interagency Contracts	90,000	96,120
<b>Total, Method of Financing</b>	\$ 1,361,694	\$ 1,426,646
<b>Number of Full-Time-Equivalent Positions (FTE):</b>	28.0	28.0
<b>Schedule of Exempt Positions:</b>		
Executive Director, Group 3	\$98,000	\$98,000
<b>1. Parole Guidelines.</b> The Criminal Justice Policy Council, from funds appropriated above, shall assist the Board of Pardons and Paroles in the implementation, monitoring, and validation of parole guidelines. The Criminal Justice Policy Council shall submit a report on these efforts to the Governor and the Legislative Budget Board no later than January 1, 2003.		
<b>2. Enhanced Mental Health Services Initiative.</b> The Criminal Justice Policy Council, from funds appropriated above, shall monitor and evaluate the implementation of the Enhanced Mental Health Services Initiative by the Texas Juvenile Probation Commission, the Texas Department of Criminal Justice, the Texas Youth Commission, and the Texas Council on Offenders with Mental Impairments. The Criminal Justice Policy Council shall submit a report on these efforts to the Governor and the Legislative Budget Board no later than January 1, 2003.		

COMMISSION ON FIRE PROTECTION

	For the Years Ending	
	August 31, 2002	August 31, 2003
<b>A. Goal: EDUCATION &amp; ASSISTANCE</b>		
To assist local governments and other entities by providing materials for use in conducting research on fire protection issues and in developing training resources for fire protection personnel and to assist in providing fire fighting equipment and resources to local fire departments.		
<b>Outcome (Results/Impact):</b>		
Percentage Increase in the Number of Research Requests Made to the Fire Protection Information Resource Center	10%	10%
Percentage of Total Amount Requested for Loans/Grants Compared with Requests Awarded	22%	22%
<b>A.1.1. Strategy:</b> FIRE SAFETY INFO & EDUC PROGRAMS	\$ 125,631	\$ 125,631
Acquire, develop and maintain current and historical information on fire protection and provide training aids and fire protection information to fire departments and other entities.		
<b>A.2.1. Strategy:</b> ADMINISTER GRANT PROGRAM	\$ 1,316,090	\$ 1,316,090
Administer a grant/loan program to distribute resources to local fire departments.		
<b>Total, Goal A: EDUCATION &amp; ASSISTANCE</b>	\$ 1,441,721	\$ 1,441,721
<b>B. Goal: FIRE DEPARTMENT STANDARDS</b>		
To enforce statutes and rules relating to standards for fire service personnel education, training facilities and protective equipment in order to protect the public and fire service personnel against loss of life and property resulting from fire and related hazards.		
<b>Outcome (Results/Impact):</b>		
Percentage of Inspected Fire Certificate Holders with No Recent Violations	95%	95%
<b>B.1.1. Strategy:</b> CERTIFY & REGULATE FIRE SERVICE	\$ 1,130,000	\$ 1,130,000
Certify and regulate fire departments and fire service personnel according to standards adopted by the agency and prescribed by statute.		
<b>Explanatory:</b>		
Number of Fire Service Personnel Certified	20,000	20,000
<b>C. Goal: INDIRECT ADMINISTRATION</b>		
<b>C.1.1. Strategy:</b> INDIRECT ADMINISTRATION	\$ 516,000	\$ 516,000
<b>Grand Total, COMMISSION ON FIRE PROTECTION</b>	\$ 3,087,721	\$ 3,087,721
<b>Method of Financing:</b>		
Appropriated Receipts	\$ 5,000	\$ 5,000
General Revenue - Insurance Companies Maintenance Tax and Insurance Department Fees	3,082,721	3,082,721
<b>Total, Method of Financing</b>	\$ 3,087,721	\$ 3,087,721
<b>Number of Full-Time-Equivalent Positions (FTE):</b>	35.0	35.0

COMMISSION ON FIRE PROTECTION  
(Continued)

<b>Schedule of Exempt Positions:</b>			
Executive Director, Group 3		\$78,000	\$78,000
<b>Supplemental Appropriations Made in Riders:</b>	\$	128,000	\$ 28,000

1. **Training Restriction.** None of the funds appropriated above may be expended for fire protection or fire management training except through contract with Texas Commission on Fire Protection approved training programs external to the commission in order to avoid duplication of service.
2. **Appropriation of Receipts—Loan Repayments Revolving Fund.** In addition to the amounts appropriated above, the Texas Commission on Fire Protection is hereby appropriated all loan repayments, loan forfeitures and other revenue accruing to the revolving loan fund in excess of \$251,670 for fiscal year 2002 and in excess of \$251,670 for fiscal year 2003 for the purpose of making additional loans as established in VTCA, Government Code, Chapter 419, Subchapter C (estimated to be \$56,000 for the biennium). The unexpended balance in Strategy A.2.1, Administer Grant Program, and of collections in excess of \$251,670 in the revolving loan fund at the end of fiscal year 2002 is hereby appropriated for fiscal year 2003 for the same purpose.
3. **Reimbursement of Advisory Committee Members.** Pursuant to VTCA, Government Code § 2110.004, reimbursement of expenses for advisory committee members, out of funds appropriated above, is limited to the following advisory committees: Fire Fighter, Testing, and Funds Allocation.
4. **Fire Department Inspections.** It is the intent of the Legislature that the Texas Commission on Fire Protection not provide prior notification of an inspection to a fire department.
5. **Co-location of Regional Offices.** It is the intent of the Legislature that the Texas Commission on Fire Protection and the Texas Forest Service enter into an agreement to co-locate regional offices to the maximum space available.
6. **Staffing of Regional Offices.** The Texas Commission on Fire Protection shall staff each regional office with at least one standards compliance officer from available staff.
7. **Contingency Appropriation.** Contingent on loss on appeal or settlement during appeal of a lawsuit styled *Aina Hill vs. Texas Commission on Fire Protection*, the Texas Commission on Fire Protection is hereby appropriated \$100,000 out of general revenue (GR Fund No. 8042 - Insurance Companies Maintenance Tax and Insurance Department Fees) for the purpose of paying the final judgement of the lawsuit. The Comptroller shall release funds at the direction of the Attorney General subject to the approval of the Legislative Budget Board and the Governor.

COMMISSION ON JAIL STANDARDS

	For the Years Ending	
	August 31, 2002	August 31, 2003
<b>A. Goal: EFFECTIVE JAIL STANDARDS</b>		
To establish reasonable minimum standards for the provision and operation of jails; monitor and enforce compliance with adopted standards; provide consultation, training, and technical assistance to local government for achieving and maintaining compliance with adopted standards; and perform state mandates affecting county jail incarceration.		
<b>Outcome (Results/Impact):</b>		
Number of Jails Achieving Compliance	220	220
Number of Jails with Documented Staffing Plans	230	235
<b>A.1.1. Strategy:</b> INSPECTION AND ENFORCEMENT	\$ 348,221	\$ 348,221
Develop and implement a uniform process to inspect, monitor compliance and ensure due process in enforcement of standards for local jails.		
<b>Output (Volume):</b>		
Number of Annual Inspections Conducted	254	254
<b>A.1.2. Strategy:</b> JUVENILE JUSTICE SURVEY	\$ 54,854	\$ 54,854
Perform annual survey of local jail facilities to determine compliance with the Juvenile Justice and Delinquency Prevention Act.		
<b>A.2.1. Strategy:</b> CONSTRUCTION PLAN REVIEW	\$ 150,582	\$ 150,582
Develop and implement a comprehensive facility needs analysis program and review and comment on construction documents for construction projects.		
<b>Output (Volume):</b>		
Number of On-site Planning and Construction Consultations with Jail Representatives	160	160
<b>A.2.2. Strategy:</b> MANAGEMENT CONSULTATION	\$ 207,049	\$ 207,049
Review and approve jail operational plans, provide needed jail management training and consultation, and perform objective jail staffing analyses.		
<b>Output (Volume):</b>		
Number of On-site Operation and Management Consultations with Jail Representatives	300	300
<b>A.3.1. Strategy:</b> AUDITING POPULATION AND COSTS	\$ 207,050	\$ 207,050
Collect, analyze, and disseminate data concerning inmate population, felony backlog, and jail operational costs.		
<b>Output (Volume):</b>		
Number of Reports Audited	6,200	6,200
<b>Total, Goal A: EFFECTIVE JAIL STANDARDS</b>	<b>\$ 967,756</b>	<b>\$ 967,756</b>
<b>Grand Total, COMMISSION ON JAIL STANDARDS</b>	<b>\$ 967,756</b>	<b>\$ 967,756</b>
<b>Method of Financing:</b>		
General Revenue Fund	\$ 921,756	\$ 921,756
Criminal Justice Grants	40,000	40,000
Appropriated Receipts	6,000	6,000
<b>Total, Method of Financing</b>	<b>\$ 967,756</b>	<b>\$ 967,756</b>

COMMISSION ON JAIL STANDARDS  
(Continued)

Number of Full-Time-Equivalent Positions (FTE):	20.0	20.0
Schedule of Exempt Positions:		
Executive Director, Group 2	\$61,000	\$61,000

JUVENILE PROBATION COMMISSION

	For the Years Ending	
	August 31, 2002	August 31, 2003
<b>A. Goal:</b> LOCAL JUVENILE JUSTICE		
To ensure public safety, offender accountability and the rehabilitation of juvenile offenders through a comprehensive, coordinated, community-based juvenile justice system by providing funding, technical assistance and training in partnership with juvenile boards and probation departments.		
<b>Outcome (Results/Impact):</b>		
Rate of Successful Completion of Deferred Prosecution Cases	85%	85%
Rate of Successful Completion of Court Ordered Probation	85%	85%
Number of New Commitments to Texas Youth Commission	2,829	2,909
<b>A.1.1. Strategy:</b> BASIC PROBATION	\$ 45,857,447	\$ 45,912,651
Provide funding to juvenile probation departments for the provision of basic juvenile probation services, including delinquency prevention, deferred prosecution, and court ordered probation.		
<b>Output (Volume):</b>		
Average Daily Population of Youth Supervised under Court Ordered Probation	32,686	33,637
Average Daily Population of Youth Supervised under Intensive Supervision Probation	3,900	3,900
<b>Efficiencies:</b>		
Average State Cost Per Juvenile Referred	369.82	359.8
Cost Per Day for Youth Served on Intensive Supervision Probation	14.6	14.6
<b>Explanatory:</b>		
Total Number of Referrals	123,999	127,607
<b>A.2.1. Strategy:</b> COMMUNITY CORRECTIONS	\$ 50,278,430	\$ 50,790,377
Provide funding to juvenile boards and departments for diversion of juveniles from commitment to the Texas Youth Commission and meet legislatively mandated performance measures for intensive residential and nonresidential diversionary services.		
<b>Output (Volume):</b>		
Average Daily Population of Residential Placements Using Community Corrections Funds	900	900
<b>Efficiencies:</b>		
Cost Per Day Per Youth for Residential Placement Using Community Corrections Funds	85	85
<b>A.2.2. Strategy:</b> PROBATION ASSISTANCE	\$ 14,048,295	\$ 14,544,988
Provide training and technical assistance to juvenile boards and probation departments, including case management, program planning and delinquency prevention; and monitor probation departments and both county and private		

JUVENILE PROBATION COMMISSION  
(Continued)

detention and post adjudication centers for compliance with Texas Juvenile Probation Commission standards and applicable federal regulations.

Efficiencies:

State Cost Per Training Hour 6.15 6.2

A.2.3. Strategy: JUVENILE JUSTICE ALTERNATIVE

ED PGM \$ 7,500,000 \$ 7,500,000

Provide funding for juvenile justice alternative education programs.

Output (Volume):

Number of Mandatory Students in Juvenile Justice Alternative Education Programs 1,338 1,378

Total, Goal A: LOCAL JUVENILE JUSTICE \$ 117,684,172 \$ 118,748,016

B. Goal: DIRECT AND INDIRECT ADMINISTRATION

B.1.1. Strategy: DIRECT AND INDIRECT ADMINISTRATION

\$ 927,274 \$ 929,898

Grand Total, JUVENILE PROBATION COMMISSION \$ 118,611,446 \$ 119,677,914

Method of Financing:

General Revenue Fund \$ 97,089,748 \$ 97,649,049

Federal Funds 11,931,698 12,438,865

Other Funds

Interagency Contracts 2,090,000 2,090,000

Interagency Contracts - Transfer from Foundation School Fund No. 193 7,500,000 7,500,000

Subtotal, Other Funds \$ 9,590,000 \$ 9,590,000

Total, Method of Financing \$ 118,611,446 \$ 119,677,914

Number of Full-Time-Equivalent Positions (FTE): 62.0 62.0

Schedule of Exempt Positions:

Executive Director, Group 3 \$90,000 \$90,000

- Restriction, State Aid.** None of the funds appropriated above in Strategy A.1.1, Basic Probation, and allocated to local juvenile probation boards, shall be expended for salaries or expenses of juvenile board members.
- Appropriation of Federal Title IV-E Receipts.** The provisions of Title IV-E of the Social Security Act shall be used in order to increase funds available for juvenile justice services. The Texas Juvenile Probation Commission shall certify or transfer state funds to the Texas Department of Protective and Regulatory Services so that federal financial participation can be claimed for Title IV-E services provided by counties. The Texas Juvenile Probation Commission shall direct necessary general revenue funding to ensure that the federal match for the Title IV-E Social Security Act is maximized for use by participating counties. Such federal receipts are appropriated to the Texas Juvenile Probation Commission for the purpose of reimbursing counties for services provided to eligible children.
- Juvenile Boot Camp Funding.** Out of the funds appropriated above in Strategy A.2.1, Community Corrections, the amount of \$1,000,000 annually may be expended only for the purpose of providing a juvenile boot camp in Harris County.

## JUVENILE PROBATION COMMISSION

(Continued)

4. **Juvenile Non-Residential Program Funding.** Out of the funds appropriated above in Strategy A.2.1, Community Corrections, an amount not to exceed \$250,000 in each year shall be expended in the form of grants to counties with a population of 72,000 or less which operate non-residential programs during the 2002–03 biennium. To be eligible, a county must contribute at least 60 percent of the costs of such programs from local funds, and the state share may not exceed (1) 40 percent of the funding for the program and (2) a total of \$25,000 in fiscal year 2002 and \$25,000 in fiscal year 2003 per county.
5. **Residential Facilities.** Juvenile Boards may use funds appropriated in Strategy A.1.1, Basic Probation, and Strategy A.2.1, Community Corrections, to lease, contract for, or reserve bed space with public and private residential facilities for the purpose of diverting juveniles from commitment to the Texas Youth Commission.
6. **Funding for Progressive Sanctions.**
  - a. Out of the funds appropriated above in Strategy A.1.1, Basic Probation, \$10,200,000 in fiscal year 2002 and \$10,200,000 in fiscal year 2003 can be distributed only to local probation departments for funding juvenile probation services associated with sanction levels described in §§ 59.003(a)(1), 59.003(a)(2), and 59.003(a)(3) of the Family Code, or for salaries of juvenile probation officers hired after the effective date of this Act. These funds may not be used by local juvenile probation departments for salary increases, employee benefits, or other costs (except salaries) associated with the employment of juvenile probation officers hired after the effective date of this Act.
  - b. Out of the funds appropriated above in Strategy A.2.1, Community Corrections, \$4,394,436 in fiscal year 2002 and \$4,394,437 in fiscal year 2003 can be used only for the purpose of funding secure post-adjudication placements for (1) juveniles who have a progressive sanction guideline level of 5 or higher as described by §§ 59.003(a)(5), 59.003(a)(6), and 59.003(a)(7); (2) are adjudicated for a felony offense that includes as an element of the offense the possession, carrying, using or exhibiting of a deadly weapon; (3) the juvenile court's order of adjudication contains a finding that the child committed a felony offense and the child used or exhibited a deadly weapon during the commission of the conduct or during immediate flight from commission of the conduct; or (4) are adjudicated for a sex offense of the grade of felony that requires registration under the Texas Sexual Offender Registration Program.

The Texas Juvenile Probation Commission shall reimburse a county juvenile probation department a specified number of placements under this section, as determined by the Texas Juvenile Probation Commission, after the requirements for reimbursement as outlined herein have been met to the satisfaction of the Texas Juvenile Probation Commission.
  - c. The Texas Juvenile Probation Commission shall maintain procedures to ensure that only those juvenile offenders identified above are submitted for reimbursement of secure post-adjudication placements under this section. The Texas Juvenile Probation Commission shall no later than March 1 of each fiscal year submit an expenditure report for the prior fiscal year reflecting all secure post-adjudication placement costs to the Legislative Budget Board and the Governor.
7. **County Funding Levels.** To receive the full amount of state aid funds for which a juvenile board may be eligible, a juvenile board must demonstrate to the commission's satisfaction that the amount of local or county funds budgeted for juvenile services is at least equal to the amount spent for those services, excluding construction and capital outlay expenses, in the 1994 county fiscal year. This requirement shall not be waived by the commission unless the juvenile board demonstrates to the satisfaction of the commission that unusual, catastrophic or exceptional



## JUVENILE PROBATION COMMISSION

(Continued)

circumstances existed during the year in question to adversely affect the level of county fiscal effort. If the required local funding level is not met and no waiver is granted by the commission, the commission shall reduce the allocation of state aid funds to the juvenile board by the amount equal to the amount that the county funding is below the required funding.

8. **Local Post-adjudication Facilities.** Out of the funds appropriated above in Strategy A.2.1, Community Corrections, the amount of \$8,640,462 in fiscal year 2002 and \$8,640,462 in fiscal year 2003 may be used only for the purpose of funding local post-adjudication facilities.
9. **Juvenile Justice Alternative Education Programs (JJAEP).** Out of the funds transferred to the Texas Juvenile Probation Commission pursuant to Texas Education Agency (TEA) Rider 44 and appropriated above in Strategy A.2.3, Juvenile Justice Alternative Education Programs, the Texas Juvenile Probation Commission shall allocate \$1,500,000 at the beginning of each fiscal year to be distributed on the basis of juvenile age population among the mandated counties identified in Chapter 37, Texas Education Code, and those counties with populations between 72,000 and 125,000 which choose to participate under the requirements of Chapter 37.

An additional \$500,000 shall be set aside in a reserve fund for each year of the biennium to allow mandated and non-mandated counties to apply for additional funds on a grant basis.

The remaining funds shall be allocated for distribution to the counties mandated by the § 37.011(a) Texas Education Code, at the rate of \$59 per student per day of attendance in the JJAEP for students who are required to be expelled as provided under § 37.007, Texas Education Code, and are intended to cover the full cost of providing education services to such students. Counties are not eligible to receive these funds until the funds initially allocated at the beginning of each fiscal year have been expended at the rate of \$59 per student per day of attendance. Counties in which populations exceed 72,000, but are 125,000 or less, may participate in the JJAEP, and are eligible for state reimbursement at the rate of \$59 per student per day.

The Texas Juvenile Probation Commission may expend any remaining funds for summer school programs in counties with a population over 72,000 which are funded as mandated counties in Chapter 37. Funds may be used for any student assigned to a JJAEP. Summer school expenditures may not exceed \$3.0 million in any year.

Unspent balances in fiscal year 2002 shall be appropriated to fiscal year 2003 for the same purposes in Strategy A.2.3.

The allocations made in this rider for the JJAEP are estimated amounts and not intended to be an entitlement and are limited to the amounts transferred from the Foundation School Program pursuant to TEA Rider 44. The amount of \$59 per student per day may vary depending on the total number of students actually attending the JJAEPs.

The Texas Juvenile Probation Commission may reduce, suspend, or withhold Juvenile Justice Alternative Education Program funds to counties that do not comply with standards, accountability measures, or Texas Education Code Chapter 37.

10. **Funding for Additional Eligible Students in JJAEPs.** Out of funds appropriated above in Strategy A.2.3, Juvenile Justice Alternative Education Programs, a maximum of \$500,000 in each year (for a maximum of 90 attendance days per child), is allocated for counties with a population of at least 72,000 which operate a JJAEP under the standards of Chapter 37, Texas Education Code. The county is eligible to receive funding from the Texas Juvenile Probation Commission at the rate of \$59 per day per student for students who are required to be expelled under § 37.007, Texas Education Code, and who are expelled from a school district in a county that does not operate a JJAEP.

## JUVENILE PROBATION COMMISSION

(Continued)

11. **Use of JJAEP Funds.** None of the funds appropriated above for the support of JJAEPs shall be used to hire a person or entity to do lobbying.
12. **JJAEP Accountability.** Out of funds appropriated above in Strategy A.2.3, Juvenile Justice Alternative Education Programs (JJAEP), the Texas Juvenile Probation Commission and the Texas Education Agency shall ensure that Juvenile Justice Alternative Education Programs are held accountable for student academic and behavioral success. The agencies are to jointly submit a performance assessment report to the Legislative Budget Board and the Governor by May 1, 2002. The report shall include, but is not limited to, the following:
  - a. an assessment of the degree to which each JJAEP enhanced the academic performance and behavioral improvement of attending students;
  - b. a detailed discussion on the use of standard measures used to compare program formats and to identify those JJAEPs most successful with attending students;
  - c. the percent of eligible JJAEP students statewide and by program demonstrating academic growth in the Texas Assessment of Academic Skills (TAAS) math and reading, as measured in terms of the Texas Learning Index (TLI);
  - d. standardized cost reports from each JJAEP and their contracting independent school district(s) to determine differing cost factors and actual costs per each JJAEP program by school year; and
  - e. inclusion of a comprehensive five year strategic plan for the continuing evaluation of JJAEPs which shall include oversight guidelines to improve: school district compliance with minimum program and accountability standards, attendance reporting, consistent collection of costs and program data, training and technical assistance needs.
13. **Training.** It is the intent of the Legislature that the Texas Juvenile Probation Commission provide training to local juvenile probation personnel and to local Juvenile Judges to maximize the appropriate placement of juveniles according to the progressive sanction guidelines.
14. **Unexpended Balances - Hold Harmless Provision.** Any unexpended balances as of August 31, 2002 in Strategy A.1.1, Basic Probation (estimated to be \$690,112), and in Strategy A.2.1, Community Corrections (estimated to be \$932,196), above are hereby appropriated to the Juvenile Probation Commission in fiscal year 2003 for the purpose of providing Hold Harmless funding for juvenile probation departments whose allocation would otherwise be reduced as a result of reallocations related to population shifts.
15. **Juvenile Accountability Incentive Block Grants Funding.** Amounts appropriated above in Strategy A.2.1, Community Corrections, include \$2,090,000 per fiscal year in Juvenile Accountability Incentive Block Grants funding from the Governor's Office.
16. **Salary Increases for Juvenile Probation Department Personnel.** Out of the funds appropriated above in Strategy A.1.1, \$10,228,298 per fiscal year shall be distributed to counties to be used only for the purpose of salary and associated benefits for Certified Juvenile Probation Officers (JPO) and Juvenile Detention/Correctional Officers (JD/JCO). The Juvenile Probation Commission shall insure the annual salary and benefits increases are limited to \$3,000 per JPO and \$1,500 per JD/JCO.

**COMMISSION ON LAW ENFORCEMENT OFFICER  
STANDARDS AND EDUCATION**

	For the Years Ending	
	August 31, 2002	August 31, 2003
<b>A. Goal:</b> LICENSE AND APPROVE COURSES		
To create new incentives and opportunities for law enforcement career oriented individuals to grow in their professional competency.		
<b>Outcome (Results/Impact):</b>		
Percent of Licensees with No Recent Violations	99.9%	99.9%
<b>A.1.1. Strategy:</b> LICENSING	\$ 602,863	\$ 595,781
Issue licenses and certificates to individuals who demonstrate required competencies.		
<b>Output (Volume):</b>		
Number of New Licenses Issued to Individuals	11,500	11,500
<b>Efficiencies:</b>		
Average Licensing Cost Per Individual License Issued	14.5	14.5
<b>A.1.2. Strategy:</b> COURSE DEVELOPMENT	\$ 854,746	\$ 851,064
Manage development, delivery and quality of law enforcement training and education.		
<b>Output (Volume):</b>		
Number of On-site Academy Evaluations Conducted	60	60
<b>Total, Goal A:</b> LICENSE AND APPROVE COURSES	\$ 1,457,609	\$ 1,446,845
<b>B. Goal:</b> REGULATION		
To develop and implement programs designed to contribute to the reduction of per capita incidence of officer misconduct.		
<b>Outcome (Results/Impact):</b>		
Percent of Complaints Resulting in Disciplinary Action	37%	37%
<b>B.1.1. Strategy:</b> ENFORCEMENT	\$ 461,130	\$ 466,886
Revoke licenses, suspend licenses, or reprimand licensees for violation of statutes or TCLEOSE rules.		
<b>Output (Volume):</b>		
Complaints Resolved	500	500
<b>Efficiencies:</b>		
Average Cost Per Complaint Resolved	32	32
<b>C. Goal:</b> INDIRECT ADMINISTRATION		
<b>C.1.1. Strategy:</b> INDIRECT ADMINISTRATION	\$ 494,455	\$ 500,373
<b>Grand Total,</b> COMMISSION ON LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION		
	\$ 2,413,194	\$ 2,414,104
<b>Method of Financing:</b>		
GR Dedicated - Law Enforcement Officer Standards and Education Account No. 116	\$ 2,329,594	\$ 2,330,504
GR Dedicated - Peace Officers Memorial Fund Account No. 337	20,000	20,000
Appropriated Receipts	63,600	63,600
<b>Total, Method of Financing</b>	\$ 2,413,194	\$ 2,414,104
<b>Number of Full-Time-Equivalent Positions (FTE):</b>	44.0	44.0
<b>Schedule of Exempt Positions:</b>		
Executive Director, Group 2	\$76,000	\$76,000
<b>Supplemental Appropriations Made in Riders:</b>	\$ 141,000	\$ 141,000

**COMMISSION ON LAW ENFORCEMENT OFFICER  
STANDARDS AND EDUCATION**  
(Continued)

1. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103.

	<u>2002</u>	<u>2003</u>
Out of the GR Dedicated - Law Enforcement Officer Standards and Education Account No. 116:		
a. Acquisition of Information Resource Technologies		
(1) Integrated Internet Application System	15,000	15,000
(2) Cycled Replacement/Upgrade of Computers and Servers	\$ <u>20,573</u>	\$ <u>30,573</u>
Total, Acquisition of Information Resource Technologies	\$ <u>35,573</u>	\$ <u>45,573</u>
Total, Capital Budget	\$ <u><u>35,573</u></u>	\$ <u><u>45,573</u></u>

2. **Appropriation: Peace Officers' Memorial Fund, GR-Dedicated Account No. 337.** There is hereby appropriated to the Commission on Law Enforcement Officer Standards and Education all contributions and earned interest for the Peace Officers' Memorial during the 2002–03 biennium and from any balances on hand as of August 31, 2001, for the purposes of funding and maintaining a Texas Peace Officers' Memorial on the grounds of the Capitol Complex in honor of those Texas peace officers who have died in the line of duty as provided by Title 37, TAC § 229.1. These appropriations are to be deposited in the state treasury to the credit of GR–Dedicated Account No. 337 for the Peace Officers’ Memorial. None of these appropriations shall be used by the Commission for administration and support costs related to the Peace Officers' Memorial.
3. **Appropriation of Receipts — Certificate Fees.** There is hereby appropriated to the Texas Commission on Law Enforcement Officer Standards and Education for the biennium beginning September 1, 2001, all revenues collected for the processing of proficiency certificates pursuant to VTCA, Occupation Code § 1701.154 (estimated to be \$182,000).
4. **Appropriation: Law Enforcement Officer Standards and Education, GR–Dedicated Account No. 116.** There is hereby appropriated to the Texas Commission on Law Enforcement Officer Standards and Education for the biennium beginning September 1, 2001, all fees collected in the Law Enforcement Officer Standards and Education GR–Dedicated Account No. 116 for establishing a person’s eligibility to reinstate a license that has lapsed (estimated to be \$100,000).

TEXAS MILITARY FACILITIES COMMISSION

	For the Years Ending	
	August 31, 2002	August 31, 2003
<b>A. Goal: MAINTAIN PROPERTIES</b>		
Maintain and preserve all properties in a state of good repair by conducting periodic surveys and reviews, determining maintenance priorities, and performing cost-effective maintenance using established procedures.		
<b>Outcome (Results/Impact):</b>		
Percent of Needed Routine or Preventive Maintenance Completed		
	24%	24%
<b>A.1.1. Strategy:</b> BUILDING MAINTENANCE	\$ 4,666,412	\$ 5,009,394
Repair, maintain and supply facilities. Use a survey and review process to evaluate facilities condition and repairs made.		
<b>Explanatory:</b>		
Number of Facilities Maintained		
	314	315
<b>A.1.2. Strategy:</b> DEBT SERVICE	\$ 4,582,065	\$ 4,806,663
Receive sufficient rental/lease monies for facilities to pay the bond principal, interest, insurance, and administrative fees for the current fiscal year.		
<b>Total, Goal A: MAINTAIN PROPERTIES</b>	\$ 9,248,477	\$ 9,816,057
<b>B. Goal: CONSTRUCT AND RENOVATE FACILITIES</b>		
Construct and renovate facilities that will be modern, functional, and durable. As funds are made available, continue to upgrade facilities to achieve energy efficiency, safety, environmental and accessibility standards.		
<b>Outcome (Results/Impact):</b>		
Percent of Facilities That Comply with Texas Accessibility Standards		
	11%	15%
<b>B.1.1. Strategy:</b> BUILDING CONSTRUCTION/RENOVATION	\$ 54,083,446	\$ 232,659
New facility construction and renovation of older facilities.		
<b>C. Goal: INDIRECT ADMINISTRATION</b>		
<b>C.1.1. Strategy:</b> INDIRECT ADMINISTRATION	\$ 443,486	\$ 449,604
<b>Grand Total, TEXAS MILITARY FACILITIES COMMISSION</b>		
	\$ 63,775,409	\$ 10,498,320
<b>Method of Financing:</b>		
General Revenue Fund	\$ 2,126,287	\$ 1,391,223
Federal Funds	52,916,566	516,166
<u>Other Funds</u>		
Current Fund Balance	1,058,786	1,065,920
Interagency Contracts	5,106,588	5,370,613
Bond Proceeds - Revenue Bonds	2,567,182	2,154,398
Subtotal, Other Funds	\$ 8,732,556	\$ 8,590,931
<b>Total, Method of Financing</b>	\$ 63,775,409	\$ 10,498,320
<b>Number of Full-Time-Equivalent Positions (FTE):</b>	38.0	38.0

**TEXAS MILITARY FACILITIES COMMISSION**  
(Continued)

**Schedule of Exempt Positions:**

Executive Director, Group 2	\$57,000	\$57,000
Per Diem of Board Members	4,860	4,860

1. **Capital Budget.** None of the general revenue funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Equipment Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. This rider does not limit the use of federal funds obtained by the department.

	<u>2002</u>	<u>2003</u>
a. Acquisition of Land and Other Real Property		
(1) Acquisition of Land - Houston Joint Reserve Facility	\$ 1,470,150	\$ UB
b. Construction of Buildings and Facilities	52,400,400	UB
c. Repair or Rehabilitation of Buildings and Facilities		
(1) Priority Projects for 2002-03	1,222,948	475,312
(2) Lease Payments (MLPP) for 1996-97	127,918	127,333
(3) Organizational Maintenance Shops	342,698	377,267
(4) Roof Replacements/Major Maintenance	1,097,032	2,154,398
Total, Repair or Rehabilitation of Buildings and Facilities	<u>\$ 2,790,596</u>	<u>\$ 3,134,310</u>
d. Transportation Items	22,000	27,000
Total, Capital Budget	<u>\$ 56,683,146</u>	<u>\$ 3,161,310</u>

Method of Financing (Capital Budget):

General Revenue Fund	\$ 1,263,123	\$ 515,629
Federal Funds	52,400,400	0
Interagency Contracts	452,441	491,283
Bond Proceeds - Revenue Bonds	<u>2,567,182</u>	<u>2,154,398</u>
Total, Method of Financing	<u>\$ 56,683,146</u>	<u>\$ 3,161,310</u>

2. **Appropriation of Refunded Money.** There is hereby appropriated to the Texas Military Facilities Commission all money refunded to said Commission from any source when such money was originally expended for any of the purposes in A.1.1, Building Maintenance and B.1.1, Building Construction/Renovation, above. Such appropriated funds may be expended for any of the purposes enumerated in A.1.1. and B.1.1. above.
3. **Local Fund Authorization.** The Texas Military Facilities Commission is hereby authorized to spend, and there is hereby made available to it, any or all local funds which the Commission now has or which it may hereinafter acquire, in accordance with the provisions of its bond indenture dated October 1, 1979, and subsequently amended.

## TEXAS MILITARY FACILITIES COMMISSION

(Continued)

4. **Bond Indenture Revenues.** There is hereby appropriated to the Texas Military Facilities Commission all revenues that the Commission has pledged, assigned and set over and does pledge, assign and set over unto its trustee and its successors in trust, and all revenues it has received or may hereinafter receive in accordance with the provisions of its bond indenture dated October 1, 1979, and subsequently amended.
5. **Superseding of Statutes and Bond Covenants.** None of the appropriations or provisions herein shall supersede VTCA, Government Code, Chapter 435, or the covenants under which bonds are issued by or on behalf of the Texas Military Facilities Commission, regarding the Commission's obligations as a public bonding authority, body politic and corporate.
6. **Disposition of State-owned Property.** There is hereby appropriated to the Texas Military Facilities Commission all funds derived from sales, in previous biennia and in the current biennium, of State-owned National Guard camps and other property owned by the Commission and of land, improvements, buildings, facilities, installations and personal property in connection therewith as authorized by VTCA, Government Code, Chapter 435. Such funds shall be expended by the Commission in one or more of the following ways: (1) as a participating fund in the construction and maintenance of facilities financed in part by the United States Government; or (2) as a construction fund to be used by the Texas Military Facilities Commission; or (3) as a debt-servicing fund as provided in VTCA, Government Code, Chapter 435. Provided, however, that all such funds that are not actually used for the purposes hereinbefore specified shall remain on deposit in the state treasury to the credit of the Commission for the use and benefit of the Texas National Guard, their successors or components, as provided in VTCA, Government Code, Chapter 435.
7. **Transferability.** The Texas Military Facilities Commission is hereby authorized to transfer such amounts as may be necessary between strategies A.1.1, Building Maintenance, and B.1.1, Building Construction/Renovation. Such transfers shall not be used to increase the bond indebtedness of the Commission.
8. **Support and Maintenance Expenditures.** It is hereby provided that all monies currently appropriated to the Texas Military Facilities Commission for support and maintenance of the Texas National Guard are authorized for like expenditures for the support and maintenance of units of the Texas State Guard replacing the Texas National Guard units inducted into federal service.
9. **Master Plan for Military Facilities.** Funds appropriated to the Texas Military Facilities Commission for capital construction projects are intended to be expended for those projects which are part of the Commission's Master Plan. The Adjutant General and his staff shall cooperate with and provide information to the Commission in updating the Master Plan. The Commission shall revise the plan at least biennially and submit the plan to the Legislative Budget Board and the Governor by July 1 of every even-numbered year as part of the Legislative Appropriations Request.
10. **Renovation Priorities.** The Texas Military Facilities Commission shall give priority to renovations which: (1) insure the structural integrity of the facilities; (2) bring such facilities into compliance with current building and safety codes and accessibility standards; (3) increase the economic efficiency of the facilities; and (4) simplify future maintenance of the facilities.
11. **Reallocation of Unexpended Bond Proceeds.** The Texas Military Facilities Commission is authorized to reallocate the unexpended bond proceeds of canceled projects to other projects listed in its current Master Plan after notifying the Texas Public Finance Authority, the Texas Bond Review Board, the Governor, and the Legislative Budget Board. Any unexpended bond proceeds from prior fiscal years are appropriated to subsequent fiscal years.

TEXAS MILITARY FACILITIES COMMISSION  
(Continued)

12. **Federally Funded Projects.** Federal funds for any 100 percent federally funded project are hereby appropriated, and related additional federally funded personnel and additional travel expenditures are authorized.

TEXAS COMMISSION ON PRIVATE SECURITY

	For the Years Ending	
	August 31,	August 31,
	2002	2003
<b>A. Goal:</b> LICENSING AND ENFORCEMENT		
To aggressively enforce the provisions of the Act for the protection of the general public and consumers of private investigations and security services and products through the efforts of its field offices and headquarters personnel.		
<b>Outcome (Results/Impact):</b>		
Percent of Documented Complaints Resolved within Six Months	90%	90%
Percent of Licensees with No Recent Violations	99%	99%
<b>A.1.1. Strategy:</b> INVESTIGATIONS	\$ 837,130	\$ 837,130
Investigate allegations, reports and notices of violations of the Act and rules.		
<b>Output (Volume):</b>		
Number of Investigations Conducted	12,900	12,900
<b>Efficiencies:</b>		
Average Time for Case Closure	32	32
Average Cost Per Complaint Resolved	142.86	142.86
<b>A.1.2. Strategy:</b> ENFORCEMENT	\$ 227,386	\$ 227,386
Seek timely prosecution of unlicensed companies providing regulated services through the courts and take administrative action against licensed companies and registered and commissioned individuals operating in violation of the Act and rules.		
<b>Efficiencies:</b>		
Average Cost Per Disciplinary Action	550	550
<b>A.2.1. Strategy:</b> CRIMINAL HISTORY CHECK	\$ 1,185,840	\$ 1,185,840
Obtain information regarding the identity, fingerprints and criminal history of applicants for company licensure and individual registration and commission (gun permit).		
<b>Explanatory:</b>		
Number of Criminal History Records Received During a Reporting Period	7,815	8,206
<b>A.2.2. Strategy:</b> LICENSING AND REGISTRATION	\$ 529,673	\$ 529,673
Issue and renew company licenses and individual registrations and commissions (gun permits) of qualified applicants and deny same to those applicants who do not meet minimum standards.		
<b>Output (Volume):</b>		
Number of New Licenses Issued to Individuals	8,800	8,800



TEXAS COMMISSION ON PRIVATE SECURITY  
(Continued)

<b>Efficiencies:</b>		
Average Licensing Cost Per Individual License Issued	7.2	7.56
<b>Total, Goal A:</b> LICENSING AND ENFORCEMENT	\$ 2,780,029	\$ 2,780,029
<b>Grand Total,</b> TEXAS COMMISSION ON PRIVATE SECURITY	\$ 2,780,029	\$ 2,780,029
<b>Method of Financing:</b>		
General Revenue Fund	\$ 1,808,434	\$ 1,808,434
Appropriated Receipts	971,595	971,595
<b>Total, Method of Financing</b>	\$ 2,780,029	\$ 2,780,029
<b>Other Direct and Indirect Costs Appropriated Elsewhere in this Act</b>	\$ 445,366	\$ 473,921
<b>Number of Full-Time-Equivalent Positions (FTE):</b>	46.5	46.5
<b>Schedule of Exempt Positions:</b>		
Executive Director, Group 2	\$75,000	\$75,000
Per Diem of Board Members	2,500	2,500

1. **Fee Rates.** To provide for the recovery of costs for the preceding appropriations, the following fee rate is established pursuant to VTCA, Government Code § 316.043, to be effective during the biennium covered by this Act:

Class A license (original and renewal)	\$250
Class B license (original and renewal)	\$300
Class C license (original and renewal)	\$440
Reinstate suspended license	\$150
Assignment of license	\$150
Change name of license	\$75
Branch Office Certificate (original and renewal)	\$200
Registration fee for private investigators, managers, branch office managers, and alarm system installers (original and renewal)	\$20
Registration fee for noncommissioned security officer (original and renewal)	\$25
Registration fee for security sales person	\$20
Registration fee for alarm systems monitor	\$20
Registration fee for guard dog trainer (original and renewal)	\$20
Registration fee for owner, officer, partner, or shareholder of a licensee (original and renewal)	\$50

TEXAS COMMISSION ON PRIVATE SECURITY  
(Continued)

Registration fee for security consultant (original and renewal)	\$55
Security officer commission fee (original and renewal)	\$50
School instructor fee (original and renewal)	\$100
School approval fee	\$250
Letter of authority fee for private businesses and political subdivisions (original and renewal)	\$300
FBI Fingerprint Check	\$25
Duplicate pocket card fee	\$10
Employee information update fee (transfer)	\$15
Burglar alarm seller's fee	\$25
Personal Protection Officer Authorization	\$50

2. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines and other miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made above as well as an amount equal to the amount identified above in the informational item “Other Direct and Indirect Costs Appropriated Elsewhere in this Act.” In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.
3. **Board Meetings at State Facilities.** It is the intent of the Legislature that meetings of the Texas Commission on Private Security be held only at state facilities in Austin, Texas.
4. **Contract Reports.** It is the intent of the Legislature that the Texas Commission on Private Security provide the Governor and the Legislative Budget Board detailed information on all current contracts, and an annual report of all contracts initiated during each fiscal year.

DEPARTMENT OF PUBLIC SAFETY

	For the Years Ending	
	August 31, 2002	August 31, 2003
<b>A. Goal:</b> PROMOTE TRAFFIC SAFETY		
To promote traffic safety, the preservation of the peace, and the detection and prevention of crime.		
<b>Outcome (Results/Impact):</b>		
Annual Texas Rural Traffic Death Rate	2.8	2.8
<b>A.1.1. Strategy:</b> HIGHWAY PATROL	\$ 98,986,189	\$ 116,832,897
Supervision of traffic and general law enforcement on rural highways by uniformed officers.		

**DEPARTMENT OF PUBLIC SAFETY**  
(Continued)

<b>Output (Volume):</b>			
Traffic Law Violator Contacts		2,430,453	2,430,453
<b>A.1.2. Strategy:</b> COMMERCIAL TRAFFIC PATROL	\$	27,003,021	\$ 26,842,573
Supervision of commercial traffic and general law enforcement on rural highways by uniformed officers.			
<b>Output (Volume):</b>			
Commercial Traffic Law Violator Contacts		642,954	642,954
<b>A.1.3. Strategy:</b> DRIVER LICENSE & RECORDS	\$	59,043,032	\$ 58,986,354
Ensure the competency of Texas drivers through testing of new drivers, determining the eligibility of renewal applicants, and through the improvement or delicensing of problem drivers.			
<b>Output (Volume):</b>			
Number of Examinations Administered		5,281,066	4,502,781
<b>A.1.4. Strategy:</b> BREATH AND BLOOD TESTING	\$	1,951,607	\$ 1,951,607
Operate a scientific breath alcohol and blood testing program statewide. Supervise and maintain the program, train operators, and testify to its validity in court.			
<b>Output (Volume):</b>			
Number of Breath Alcohol Tests Supervised		46,000	46,000
<b>A.1.5. Strategy:</b> VEHICLE INSPECTION	\$	13,492,133	\$ 13,486,493
Administer the state's vehicle inspection and emissions program.			
<b>A.1.6. Strategy:</b> TRAFFIC ACCIDENT RECORDS	\$	2,394,057	\$ 2,394,057
Manage the traffic accident records system and measure the effectiveness of safety programs.			
<b>Output (Volume):</b>			
Number of Accident Reports Processed		524,155	524,155
<b>A.1.7. Strategy:</b> EDUCATION AND TRAINING	\$	<u>4,981,114</u>	\$ <u>4,970,963</u>
Provide appropriate alcohol, drug, traffic safety, and crime prevention educational programs for the citizens of Texas and provide operational and technical training for law enforcement, emergency management, and support personnel in the state.			
<b>Output (Volume):</b>			
Number of Alcohol, Drug, Traffic Safety, and Crime Prevention Programs Conducted		15,100	15,100
<b>Total, Goal A: PROMOTE TRAFFIC SAFETY</b>	\$	<u>207,851,153</u>	\$ <u>225,464,944</u>

**B. Goal:** PREVENT AND DETECT CRIME  
To promote the preservation of the peace and the prevention and detection of crime.

<b>Outcome (Results/Impact):</b>			
Annual Texas Index Crime Rate		5,257	5,257
<b>B.1.1. Strategy:</b> NARCOTICS ENFORCEMENT	\$	26,497,629	\$ 26,413,305
Direct enforcement efforts against illegal drug trafficking, supervise controlled substance registration, and administer other facets of the narcotics enforcement program.			
<b>Output (Volume):</b>			
Number of Arrests for Narcotics Violations		2,065	2,065
<b>B.1.2. Strategy:</b> VEHICLE THEFT ENFORCEMENT	\$	8,632,685	\$ 8,601,940
Investigate and arrest persons engaged in the theft of motor vehicles, boats, aircraft, construction equipment, and farm equipment, and recover located property.			

DEPARTMENT OF PUBLIC SAFETY  
(Continued)

<b>Output (Volume):</b> Number of Arrests for Motor Vehicle Theft	1,043	1,063
<b>B.1.3. Strategy:</b> SPECIAL CRIMES Investigate persons engaged in organized criminal activity, arrest fugitives, locate missing persons, monitor pari-mutual racing, and administer other facets of the special crimes enforcement program.	\$ 10,066,633	\$ 9,924,769
<b>Output (Volume):</b> Number of Special Crimes Arrests	2,200	2,200
<b>B.1.4. Strategy:</b> TEXAS RANGERS Investigate felony offenses and assist federal, state and local law enforcement agencies.	\$ 8,134,604	\$ 8,104,432
<b>Output (Volume):</b> Number of Arrests	1,140	1,140
<b>B.1.5. Strategy:</b> CAPITOL SECURITY Provide appropriate security for public officials and property.	\$ 10,002,976	\$ 9,965,473
<b>B.1.6. Strategy:</b> TECHNICAL ASSISTANCE Provide high quality and timely technical assistance programs to requesting criminal justice agencies.	\$ 9,820,874	\$ 9,816,927
<b>Output (Volume):</b> Number of Drug Cases Examined	37,000	37,000
<b>B.1.7. Strategy:</b> OPERATIONAL ASSISTANCE Provide high quality and timely operational assistance programs to requesting criminal justice and other authorized agencies and entities.	\$ 17,518,270	\$ 17,509,501
<b>Output (Volume):</b> Number of Trouble Calls Handled	120,000	120,000
<b>B.1.8. Strategy:</b> CONCEALED HANDGUN LICENSING Perform background checks and determine the suitability of concealed handgun applicants; issue, suspend or revoke handgun licenses; and administer the certification of trainers.	\$ 5,413,218	\$ 5,413,218
<b>Output (Volume):</b> Number of Handgun Licenses Issued after the Application Has Been Received and Approved for Issue	40,960	40,960
<b>Total, Goal B:</b> PREVENT AND DETECT CRIME	\$ 96,086,889	\$ 95,749,565

<b>C. Goal:</b> DISASTER RESPONSE To respond in a timely fashion to emergencies and disasters and administer a comprehensive emergency-management program.		
<b>Outcome (Results/Impact):</b> Percentage of Local Governments Achieving an Acceptable or Greater Level of Emergency Preparedness	26%	26%
<b>C.1.1. Strategy:</b> EMERGENCY PLANNING Provide emergency management training, and planning assistance and guidance to state agencies and local governments.	\$ 6,225,968	\$ 6,167,561
<b>C.1.2. Strategy:</b> RESPONSE COORDINATION Review and coordinate emergency and disaster response operations.	\$ 533,803	\$ 592,210
<b>Output (Volume):</b> Number of Emergency Incidents Coordinated	2,032	2,032
<b>C.1.3. Strategy:</b> DISASTER RECOVERY Process and monitor all requests and applications for recovery and mitigation assistance based upon requirements and procedures.	\$ 1,250,664	\$ 1,250,664

**DEPARTMENT OF PUBLIC SAFETY**  
(Continued)

<b>Output (Volume):</b>		
Number of Counties Provided Disaster Financial Assistance	93	93
<b>Total, Goal C: DISASTER RESPONSE</b>	<b>\$ 8,010,435</b>	<b>\$ 8,010,435</b>
<b>D. Goal: POLYGRAPH EXAMINERS BOARD</b>		
To examine only qualified applicants and license only those who are proficient and competent as polygraph examiners and to aggressively enforce the Polygraph Examiners Act and ensure swift, fair, effective enforcement for all violators of the Act.		
<b>Outcome (Results/Impact):</b>		
Percent of Licensees with No Recent Violations	99%	99%
<b>D.1.1. Strategy: ADMINISTRATION AND ENFORCEMENT</b>	<b>\$ 89,232</b>	<b>\$ 89,600</b>
<b>Output (Volume):</b>		
Number of Examination Sessions Conducted	6	6
<b>E. Goal: INDIRECT ADMINISTRATION</b>		
<b>E.1.1. Strategy: CENTRAL ADMINISTRATION</b>	<b>\$ 8,239,704</b>	<b>\$ 8,189,704</b>
<b>E.1.2. Strategy: INFORMATION RESOURCES</b>	<b>\$ 25,504,892</b>	<b>\$ 24,485,445</b>
<b>E.1.3. Strategy: OTHER SUPPORT SERVICES</b>	<b>\$ 5,790,492</b>	<b>\$ 5,790,492</b>
<b>E.1.4. Strategy: REGIONAL ADMINISTRATION</b>	<b>\$ 8,665,640</b>	<b>\$ 8,665,640</b>
<b>E.1.5. Strategy: PHYSICAL PLANT</b>	<b>\$ 4,061,000</b>	<b>\$ 4,061,000</b>
<b>Total, Goal E: INDIRECT ADMINISTRATION</b>	<b>\$ 52,261,728</b>	<b>\$ 51,192,281</b>
<b>Grand Total, DEPARTMENT OF PUBLIC SAFETY</b>	<b>\$ 364,299,437</b>	<b>\$ 380,506,825</b>
<b>Method of Financing:</b>		
<u>General Revenue Fund</u>		
General Revenue Fund	\$ 17,209,598	\$ 15,874,611
Concealed Handgun License Account	5,413,218	5,413,218
Subtotal, General Revenue Fund	<b>\$ 22,622,816</b>	<b>\$ 21,287,829</b>
<u>General Revenue Fund - Dedicated</u>		
Operators and Chauffeurs License Account No. 099	18,272,000	18,162,000
Motorcycle Education Account No. 501	912,511	912,511
Breath Alcohol Testing Account No. 5013	1,904,862	1,904,862
Fugitive Apprehension Account No. 5028	19,599,001	19,820,553
Subtotal, General Revenue Fund - Dedicated	<b>\$ 40,688,374</b>	<b>\$ 40,799,926</b>
<u>Federal Funds</u>		
Federal Funds	11,418,311	11,418,311
Motor Carrier Act Enforcement	3,800,000	3,800,000
Subtotal, Federal Funds	<b>\$ 15,218,311</b>	<b>\$ 15,218,311</b>
<u>Other Funds</u>		
State Highway Fund No. 006	277,191,194	276,122,017
Criminal Justice Grants	600,000	600,000
Appropriated Receipts	6,452,930	6,452,930
Interagency Contracts	1,525,812	1,525,812
Bond Proceeds - General Obligation Bonds	0	18,500,000
Subtotal, Other Funds	<b>\$ 285,769,936</b>	<b>\$ 303,200,759</b>
<b>Total, Method of Financing</b>	<b>\$ 364,299,437</b>	<b>\$ 380,506,825</b>

**DEPARTMENT OF PUBLIC SAFETY**  
(Continued)

Number of Full-Time-Equivalent Positions (FTE):	7,246.5	7,246.5
Number of FTEs in Riders:	58.0	78.0

Schedule of Exempt Positions:		
Director, Group 4	\$102,000	\$102,000

Supplemental Appropriations Made in Riders:	\$ 5,247,169	\$ 9,174,785
---------------------------------------------	--------------	--------------

1. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to Government Code § 1232.103.

	<u>2002</u>	<u>2003</u>
a. Repair or Rehabilitation of Buildings and Facilities	\$ 1,125,000	\$ 1,125,000
b. Acquisition of Information Resource Technologies		
(1) Lease Payments (MLPP) for 1998-99 NCIC/TLETS Upgrade	5,454,095	4,415,070
(2) Other Information Resource Projects	5,347,864	5,462,677
Total, Acquisition of Information Resource Technologies	<u>\$ 10,801,959</u>	<u>\$ 9,877,747</u>
c. Transportation Items (Approximately 1,833 Vehicles)	19,047,265	17,949,470
d. Acquisition of Capital Equipment and Items	4,969,169	4,893,521
e. SB 1074 Implementation - Cameras	0	18,500,000
Total, Capital Budget	<u>\$ 35,943,393</u>	<u>\$ 52,345,738</u>

Method of Financing (Capital Budget):

<u>General Revenue Fund</u>		
Concealed Handgun License Account	\$ 375,750	\$ 67,750

<u>General Revenue Fund - Dedicated</u>		
Motorcycle Education Account No. 501	130,548	120,548
Fugitive Apprehension Account No. 5028	8,056,082	7,024,278
Subtotal, General Revenue Fund - Dedicated	<u>\$ 8,186,630</u>	<u>\$ 7,144,826</u>

<u>Other Funds</u>		
State Highway Fund No. 006	25,031,013	24,283,162
Criminal Justice Grants	600,000	600,000
Appropriated Receipts	1,750,000	1,750,000
Bond Proceeds - General Obligation Bonds	0	18,500,000
Subtotal, Other Funds	<u>\$ 27,381,013</u>	<u>\$ 45,133,162</u>

Total, Method of Financing	<u>\$ 35,943,393</u>	<u>\$ 52,345,738</u>
----------------------------	----------------------	----------------------

**DEPARTMENT OF PUBLIC SAFETY**  
(Continued)

2. **Additional Capital Budget Authority.** In addition to the provisions of Rider 1, Capital Budget, the Department of Public Safety is authorized to make the following capital purchases at the following amounts from funds appropriated by this Act:

	<u>2002</u>	<u>2003</u>
a. Conroe Communications Facility Equipment	\$ 502,102	\$ 1,775
b. CODIS Lab Equipment	\$ 858,000	\$ 440,000
c. Communications Consoles and Updates to the Automated Drivers License Testing System (ADLETS)	\$ 4,000,000	\$ UB
d. Construction of Buildings and Facilities in Anahuac, Athens, and Columbus	\$ 2,228,795	\$ UB
e. Replacement Aircraft and Helicopter	\$ 2,161,000	\$ UB
f. Additional Recruit School	\$ 1,609,049	\$ 0
g. Florence Firearms Range	<u>\$ 2,265,447</u>	<u>\$ 0</u>
Total, Capital Budget	<u><u>\$ 13,624,393</u></u>	<u><u>\$ 441,775</u></u>

3. **Sale of Vehicles.** Funds derived from the sale of passenger vehicles and aircraft operated by the Department of Public Safety are hereby appropriated to the Department of Public Safety and are to be deposited in appropriations where like purchases can be made. Should the actual receipts from the sale of vehicles exceed the amount in the capital budget rider, the department is authorized to purchase vehicles in excess of the number listed.
4. **Marked Vehicles.** None of the funds appropriated hereinabove may be expended for the salaries of personnel operating motor vehicles used to stop and actually arrest offenders of highway speed laws unless such vehicles are black, white, or a combination thereof and plainly marked with the department's insignia.
5. **Restriction of Vehicle Use.** Notwithstanding the provisions of Article IX of this Act, the Department of Public Safety may certify no more than 15 exceptions to the prohibition related to use of a state car for commuting to and from work.
6. **Purchase of Vehicles, Texas Rangers.** From the amounts appropriated above in Strategy B.1.4, an amount of no less than \$450,000 each fiscal year is to be spent for the purchase of new vehicles for the sole use of the Texas Rangers Division. It is the intent of the Legislature that no fewer than three vehicles purchased in fiscal year 2002 and two vehicles purchased in fiscal year 2003 be four wheel drive vehicles. Furthermore, no fewer than 14 vehicles purchased each fiscal year will be two wheel drive vehicles. All vehicles purchased under the direction of this rider are to have at least 100 cubic feet of cargo volume.
7. **Abandoned Vehicles.** Funds accruing to the department under the provisions of Chapter 683, Transportation Code, are hereby appropriated to the department to assist in the administration of the Act.
8. **Gasoline Contingency.** In addition to funds appropriated above and contingent upon certification by the Comptroller of Public Accounts, the Department of Public Safety is hereby appropriated up to \$40,000 annualized per year from State Highway Fund No. 006 for each cent increase in the average gasoline cost per gallon to the department above \$.90 per gallon (estimated to be \$80,000).

## DEPARTMENT OF PUBLIC SAFETY

(Continued)

9. **Emergency Calls.** The department shall maintain for each fiscal year, the number of times supervisory officers above the rank of lieutenant respond to emergency calls requiring departure from the officer's private residence or from the office. This information shall contain specific references as to the nature of each emergency.
10. **Aircraft Authority.** The Department of Public Safety is authorized to purchase, own, maintain, and operate helicopters in performance of its responsibilities. The department may purchase additional aircraft through seized funds. In addition to authority to purchase, own, maintain, and operate aircraft, the department is authorized to own, maintain, and operate any aircraft seized pursuant to authority contained in Chapter 481, Health and Safety Code, Chapter 59, Code of Criminal Procedure or under any other statute authorizing the department to own, maintain, or operate seized aircraft. The department is directed to submit, as part of its Annual Report, details on the acquisition and disposition of seized aircraft.
11. **Aviator Reimbursement.** From the amounts appropriated above, an amount not to exceed \$10,000 each year of the biennium may be used for reimbursement of costs related to aviator assistance to state agencies, such as search and rescue or disaster-related functions. Reimbursements may include actual costs of aircraft operation including fuel, oil, maintenance and routine costs incurred by trained and certified private volunteer aviators using privately owned aircraft in state-authorized flight operations and training exercises associated with disaster-related activities. The reimbursement shall not exceed the rate approved by the state per flying hour, when such aircraft costs are not reimbursable by other governmental agencies in accordance with Chapter 418, Government Code.
12. **Controlled Substances.** All amounts received under Chapter 481, Health and Safety Code, Chapter 59, Code of Criminal Procedure, and under federal forfeiture programs are hereby appropriated to the Department of Public Safety to be used for law enforcement purposes. Any funds unexpended at the close of each fiscal year are appropriated for the following year. Funding priority shall be given to the purchase of new equipment for field employees (estimated to be \$1,000,000 annually from General Revenue and \$5.2 million in fiscal year 2002 and \$5.4 million in fiscal year 2003 from Federal Funds).
13. **Seized Assets Report.** The Department of Public Safety shall file with the Governor and the Legislative Budget Board, no later than the first Friday of October of each year and in a manner approved by the State Auditor's Office, a report disclosing information on seized/forfeited assets. The report shall contain a summary of receipts, disbursements, and fund balances for the fiscal year derived from both federal and state sources and supporting detail. The detail information shall, at a minimum, include the following:
  - a. Regarding receipts: the court in which the case was adjudicated, the nature of the assets, the value of the assets, and the specific, intended use of the assets; and
  - b. Regarding disbursements: the departmental control number, the departmental category, the division making the request, the specific item and amount requested, the amount the department approved, and the actual amount expended per item.
14. **Disposition of Seized Funds.** The Department of Public Safety is hereby directed to deposit all funds currently held, or obtained in the future pursuant to seizure actions or judicial forfeiture according to rules and procedures developed by the Comptroller of Public Accounts. The department shall cooperate with the Comptroller of Public Accounts in developing agreements and procedures for the deposit of seized state funds in accounts in the State Treasury.



## DEPARTMENT OF PUBLIC SAFETY

(Continued)

15. **Witness Fees.** From the appropriations made herein, the Department of Public Safety may pay the witness fees and travel expenses of out-of-state witnesses, subject to the advance, written approval of the District Attorney for the county having venue over the law violation under investigation.
16. **Purchase of Evidence.** From the amounts appropriated above to the Department of Public Safety, an amount not to exceed one million dollars (\$1,000,000) each year of the biennium, exclusive of amounts forfeited to the Department of Public Safety by any court of competent jurisdiction and amounts received from the United States government derived from the forfeiture of monies and property, is hereby designated for the purchase of evidence and/or information and surveillance expenses deemed necessary by the Department of Public Safety; and accountability for expenditures as set forth above shall be governed by such rules and regulations as the director of the Department of Public Safety may recommend, subject to review and approval by the State Auditor. Such amounts may be maintained in cash to facilitate the purchase of evidence, information and/or surveillance expense.
17. **Academy Costs.** The Department of Public Safety (DPS) may charge employees and students of the DPS Academy for tuition, lodging, and meals at such prices as may be set by the department. Such funds as received are hereby appropriated to cover the expenses entailed in providing such students and employees their lodging, meals, incidental expenses, and to pay visiting instructors.
18. **Medical and Funeral Costs.** Monies appropriated above may be expended for drugs, medical, hospital, laboratory and funeral costs of law enforcement employees or other employees performing duties involving unusual risk when injury or death occurs in the performance of such duties. It is the intent of the Legislature that monies appropriated above shall not be expended for drugs, medical, hospital, laboratory or funeral costs of employees who are not actively engaged in the performance of law enforcement or other hazardous duties or of law enforcement employees when injury or death occurs in the performance of clerical or office duties as distinguished from law enforcement or other duties involving unusual risk. Monies appropriated above may also be expended for physical examinations and testing when such examinations and tests are a condition of employment or exposure to infectious diseases or hazardous materials occurs in the line of duty.
19. **Authorization of Funeral Travel Reimbursement.** The Department of Public Safety may reimburse a commissioned peace officer or communications officer in its employ the costs for lodging, transportation and meals, in accordance with Article IX travel regulations of this Act, when such travel is for the purpose of representing the department at the funeral of a fallen peace officer. The reimbursement authorized by this provision applies to out-of-state, as well as, in-state travel. It is the intent of the Legislature that the department send only a small delegation to any single out-of-state funeral.
20. **Moving Expenses.** Notwithstanding any other provision of this Act, the department may use appropriated funds to pay the reasonable, necessary, and resulting costs of moving the household goods and effects of a commissioned peace officer employed by the department who is transferred from one designated headquarters to another so long as the department determines that the best interests of the State will be served by such transfer.
21. **Travel for Security Personnel.** Notwithstanding other provisions of this Act, commissioned Department of Public Safety personnel when transporting and providing security for the Governor or Governor-elect and his or her spouse and immediate family; other members of the executive, legislative, and judicial branches of state government; and visiting Governors from other states when assigned, shall be reimbursed for their actual meals, lodging and incidental expenses when on official travel in or out of the state.

## DEPARTMENT OF PUBLIC SAFETY

(Continued)

22. **Historical Museum.** The Department of Public Safety is authorized to allow the Department of Public Safety Historical Museum to utilize department property for the purpose of a historical museum. No state funds are appropriated for this purpose.
23. **Polygraph Examinations.** None of the funds appropriated to the Department of Public Safety may be expended for polygraph testing of commissioned law enforcement officers of the Department of Public Safety, unless requested by the officer.
24. **Stranded Motorist Assistance.** The Department of Public Safety is designated as the lead state agency to help motorists whose vehicles are disabled on state and federal roads. The department shall obtain the cooperation of all relevant state agencies, especially the Texas Department of Transportation, and coordinate its efforts with all local law enforcement agencies and interested private businesses. As part of this initiative, the Department of Public Safety shall establish and publicize a toll free number and a universal distress signal for motorists that are in need of assistance.
25. **Supply and Inventory Cost Allocation.** The Department of Public Safety is hereby authorized to establish a supply and inventory cost pool to which appropriations may be transferred from any strategy item. These transfers shall be restricted to the purchase of supplies and inventory items. Expenditures from the cost pool shall be allocated back to the applicable strategies of the Department of Public Safety within 30 days following the close of each fiscal quarter.
26. **Criminal History Checks to Specified Licensing Agencies.** The Department of Public Safety shall provide to the agencies listed in Article 60.061, Code of Criminal Procedure, a system for checking at least annually, but not more than quarterly, or as otherwise provided by Article 60.061, the existing licensees of these agencies against information in criminal history files. The Department of Public Safety may not charge or assess a fee to an agency providing information to the department that is in excess of the actual direct cost incurred by the department.
27. **Contract with the State Office of Administrative Hearings.** Appropriations above include \$2,600,000 in fiscal year 2002 and \$2,600,000 in fiscal year 2003 to cover the cost of contracting with the State Office of Administrative Hearings for funding the Administrative License Revocation Program for the purpose of conducting administrative hearings and for related expenses. The Department of Public Safety and the State Office of Administrative Hearings may not enter into a contract for an amount less than the amounts specified herein. If the State Office of Administrative Hearings determines, at the end of each fiscal year, that the amount paid under the contract exceeds the necessary funding, it shall refund the difference to the Department of Public Safety. If the State Office of Administrative Hearings determines that the amounts are insufficient to fund the program, the State Office of Administrative Hearings may enter into negotiations with the Department of Public Safety in order to renegotiate the interagency contract to provide additional funds for administrative hearings. The State Office of Administrative Hearings is not appropriated any state funds from such renegotiated contracts until it gives written notice to the Legislative Budget Board and the Governor, together with written permission of the agency.
28. **Contingency Appropriation Transfer for House Bill 1618.** Contingent upon the enactment of House Bill 1618, or similar legislation that would assess an additional fee on drivers license reinstatements, Rider 27, Contract with State Office of Administrative Hearings, shall be considered struck and does not take effect. Out of the amounts appropriated above in Strategy A.1.3, Driver License and Records, \$2,524,586 in fiscal year 2002 and \$2,489,295 in fiscal year 2003 from the State Highway Fund shall be transferred from the Department of Public Safety to the State Office of Administrative Hearings for use in Strategy A.1.1, Conduct Hearings.

## DEPARTMENT OF PUBLIC SAFETY

(Continued)

29. **Appropriations of Receipts—Parking Violation Revenues.** The Department of Public Safety shall collect a \$10.00 fine for all parking violations in the Capitol Complex. All revenue received from parking violations shall be deposited to the General Revenue Fund and is hereby appropriated for use by the Department of Public Safety for Capitol Police Security and parking for the 2002–03 biennium (estimated to be \$100,030 annually in excess of the amounts appropriated above). All revenues collected from parking meters in the Capitol Complex are hereby appropriated to the Preservation Board, or as otherwise specified by statute.
30. **Contingency Appropriation Reduction.** The funds appropriated above to the department are hereby reduced by an equal amount from the General Revenue Fund, State Highway Fund 006, or a combination of the two funds in the event the Department of Public Safety expends any funds not authorized by the General Appropriations Act, any provision within this Act which places a limitation on expenditures, or an affirmative action by the Legislature.
31. **Appropriation Transfers.** Notwithstanding any other provision of this bill, the Department of Public Safety may not transfer funds between items of appropriation in excess of 25 percent and shall notify the Governor and the Legislative Budget Board any time the department transfers an amount of \$100,000 or more between items of appropriation. Once the cumulative total of transfers from an item exceeds \$100,000, notification shall be made of each transfer from that item thereafter, regardless of the amount. Such notification shall include the amount transferred, the strategies involved, and justification for the transfer. In addition, the Department of Public Safety is hereby prohibited from transferring any and all appropriations from Strategy B.1.4. into any other strategies without consent of the Governor and the Legislative Budget Board.
32. **Complex Crime Unit.** From monies appropriated above, the Department of Public Safety shall maintain a Complex Crime Unit to investigate offenses involving theft or misapplication of government property, the investigation of which requires a level of expertise in disciplines such as accounting, computer technology, or another that is not readily available to local law enforcement agencies.
- a. The total cost of assistance including administrative costs shall not exceed \$1,000,000 to be paid in \$500,000 in fiscal year 2002 and \$500,000 in fiscal year 2003.
  - b. The director of the department shall employ commissioned peace officers and noncommissioned employees to perform duties required of the unit. To be eligible for employment by the Complex Crime Unit, a peace officer must have not less than four years of experience as a peace officer; and a degree from an accredited institution of higher education in law, accounting or computer science; or two or more years of experience in the investigation of complex criminal offenses or similar law. To be eligible for employment under this section, a non-commissioned employee must meet the experience, training, and educational qualifications set by the director as requirements for investigating or assisting in the investigation of a crime.
  - c. On the request of an attorney representing the state and with approval of the director, the Complex Crime Unit of the department may assist local law enforcement in the investigation of crime. On the request of the Governor and with the approval of the director, the Complex Crime Unit of the department may investigate a crime involving harm to the interests of a state agency.
33. **Appropriations Limited to Revenue Collections: Automobile Emission Inspections.** Included in amounts appropriated above in Strategy A.1.5, Vehicle Inspection, is \$5,456,000 each fiscal year for the operation of the vehicle emissions inspection and maintenance program pursuant to § 382.037, Health and Safety Code, and Executive Order GWB96-1.

## DEPARTMENT OF PUBLIC SAFETY

(Continued)

In addition to the amounts appropriated above, to implement mandatory changes in the vehicle emissions inspection and maintenance program, an additional \$1,366,943 is appropriated from General Revenue in fiscal year 2002 and an additional \$5,064,268 is appropriated in fiscal year 2003. The “Number of Full-Time-Equivalent Positions (FTE)” indicated above is hereby increased by 21 for fiscal year 2002 and 27 for fiscal year 2003.

It is the intent of the Legislature that 80 percent of the fees authorized and generated by the operation of the vehicle emissions inspection and maintenance program cover, at a minimum, the costs of the appropriations made above, as well as the “other direct and indirect cost” associated with the program, appropriated elsewhere in this Act. “Other direct and indirect costs” for the vehicle emissions inspection and maintenance program are estimated to be \$964,389 for fiscal year 2002 and \$1,364,699 for fiscal year 2003. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriations authority provided above to be within the amount of revenue expected to be available.

If additional counties are brought into the vehicle emissions inspection and maintenance program, 80 percent of revenues generated from the vehicle emissions and inspections fee in excess of the Comptroller’s Biennial Revenue Estimate in each fiscal year 2002 and 2003 are hereby appropriated to the agency for the purpose of developing, administering, evaluating, and maintaining the vehicle emissions inspection and maintenance program in the additional counties. In addition, if additional counties are brought into the vehicle emissions inspection and maintenance program, the “Number of Full-Time-Equivalent Positions (FTE)” is further increased by 15 for fiscal year 2002 and 30 for fiscal year 2003, to implement the program in the additional counties.

34. **Appropriation of Receipts: Concealed Handgun Licensing Program.** The amounts appropriated above for Strategy B.1.8, Concealed Handgun Licensing, include \$5,413,218 for fiscal year 2002 and \$5,413,218 for fiscal year 2003 from the Concealed Handgun License Account No. 991. All revenues in excess of these amounts, collected pursuant to Subchapter H, Chapter 411, Government Code, are hereby appropriated to the Department of Public Safety for the purpose of administering the Concealed Handgun Licensing Program. The total amount expended for the administration of the handgun licensing program, including “other direct and indirect costs” in the amount of \$772,279 for fiscal year 2002 and \$800,328 for fiscal year 2003, shall not exceed, in any biennium, the receipts collected pursuant to Subchapter H, Chapter 411, Government Code (estimated to be \$119,564).
35. **Clothing Provisions.**
- a. A commissioned officer who received a \$1,200 clothing allowance pursuant to the Appropriations Act during the 2000–01 biennium shall receive a \$1,200 clothing allowance in the 2002–03 biennium.
  - b. A commissioned officer who received a \$500 cleaning allowance pursuant to the Appropriations Act for the 2000–01 biennium shall receive a \$500 cleaning allowance in the 2002–03 biennium irrespective of promotion to any rank.
  - c. It is the intent of the Legislature that no person shall receive a \$1,200 clothing allowance unless eligible in subsection (a).
  - d. An individual who is newly hired or newly commissioned after September 1, 1997, is eligible to receive a \$500 cleaning allowance.
  - e. All noncommissioned personnel required to wear uniforms are entitled to a \$500 cleaning allowance.

## DEPARTMENT OF PUBLIC SAFETY

(Continued)

36. **Recruit Schools.** Recruits participating in the recruit school of the Department of Public Safety shall not be counted toward the limit on the number of full-time-equivalent positions (FTEs) for the agency until their graduation. Upon graduation, the additional officers shall not cause the department to exceed the department's limit on FTEs. The number of participants in the recruit schools shall be included in all required reports concerning FTEs and vacancies, but the recruits shall be reported as a separate total from the agency's other FTEs.
37. **Training for Local Law Enforcement Agencies.** The Department of Public Safety shall provide training to local law enforcement agencies and implement changes with the objective of enhancing participation.
38. **Reporting Procedure for Land Acquisition and Construction Projects.** The Department of Public Safety shall report to the Governor, the House Appropriations Committee, the Senate Finance Committee and the Legislative Budget Board if a department project managed by the General Services Commission and funded through appropriations by the Legislature lags six months or more behind the project's original timeline and/or exceeds the original budget by more than 25 percent. Reports should not include delays or cost overruns caused by acts of nature or other factors outside the control of the General Services Commission.
39. **EMT/Paramedic Certification.** The department is authorized to establish a pilot program designed to provide incentives for commissioned Traffic Law Enforcement Division personnel who wish to achieve certification as emergency medical technicians or paramedics. To that end, the department may work with the Department of Health and the regional trauma advisory councils to establish these incentives.
40. **Hardship Stations.** Out of funds appropriated above, the Department of Public Safety is authorized to designate 40 hardship stations across the state based on excessive vacancies in the Traffic Law Enforcement Division. The department shall provide incentives to commissioned peace officers accepting positions at these posts.
41. **Staffing Patterns.** It is the intent of the Legislature that the Department of Public Safety reduce personnel stationed at Central Headquarters in Austin to less than 25 percent of the department's total workforce. If the department has not reduced personnel at Central Headquarters in Austin to less than 25 percent by January 15, 2003, then appropriations to Strategy E.1.1, Central Administration, from the State Highway Fund No. 006 shall be reduced by \$200,000 in fiscal year 2002 and in fiscal year 2003. All funds reduced from Strategy E.1.1, Central Administration, are to be separately accounted for by the Department of Public Safety, and used only for expenditures related to the moving, placing, and housing of personnel and equipment at a location offsite of Central Headquarters.
42. **Response to Bomb or Other Terrorist Threats in the Capitol Complex.** The Department of Public Safety shall review the procedures for responding to a bomb or other terrorist threat in the Capitol Complex, determine what changes, if any, would ensure a more effective response to a threat and adopt necessary changes.

The Department of Public Safety shall also provide written procedures and guidance for responding to a bomb or other terroristic threat to each agency director in the Capitol Complex as well as any individual in charge of risk management for such agency.

43. **Security Services in the Capitol Complex.** The Department of Public Safety shall periodically review the security services provided by each law enforcement agency or security agency in the Capitol Complex (including the law enforcement services provided by the Internal

## DEPARTMENT OF PUBLIC SAFETY

(Continued)

Investigations Division of the Office of the Attorney General in the Capitol Complex) and adopt rules to coordinate these services and insure maximum effectiveness. The review and adopted rules should aim to eliminate any duplication of services.

44. **Radio Technicians.** From funds appropriated above, the Department of Public Safety shall provide each administrative region with two radio technicians.
45. **Radio Systems.** The Department of Public Safety is required to report on functional radio system interoperability with the Texas Parks and Wildlife Department by traffic law enforcement region by January 15, 2002. If interoperability has not been achieved for 50 percent of the radio system by that date, then appropriations to Strategy E.1.1, Central Administration, from the State Highway Fund No. 006 shall be reduced by \$250,000 in fiscal year 2002 and in fiscal year 2003. If interoperability has not been achieved for 85 percent of the radio system by January 15, 2003, appropriations to Strategy E.1.1, Central Administration, from State Highway Fund No. 006 shall be reduced by an additional \$250,000 in fiscal year 2002 and in fiscal year 2003. All funds reduced from Strategy E.1.1, Central Administration, are to be separately accounted for by the Department of Public Safety, and used to purchase and/or otherwise acquire radio system equipment and improvements for state troopers.
46. **Radio Engineering Team.** Out of funds appropriated above, the Department of Public Safety may create a radio engineering team to coordinate radio issues between the department and other state and local governmental agencies in regards to frequency exchanges, support for frequency installation, consolidation of dispatch services, improvement of radio coverage, and possible consolidation of radio towers.
47. **Appropriation for Motorcycle Education and Training.** Out of funds appropriated for Strategy A.1.7, Education and Training, an increase of \$250,000 each fiscal year is included for expansion of the Motorcycle Safety Unit for motorcycle education and training purposes.
48. **Transfer of Land and Office Building.** It is the intent of the Legislature that the Department of Public Safety transfer the beneficial use of their parcel of land and the building on this parcel, in Houston at 10110 Northwest Freeway, to the Board of Pardons and Paroles. The Board of Pardons and Paroles may utilize this property for office space.
49. **Transfer of Vehicles to Walker County.** The Department of Public Safety shall transfer five vehicles to Walker County. Three of these vehicles shall have mileage not to exceed 80,000, while the remaining two vehicles shall be newly purchased by the department out of funds appropriated above. The vehicles transferred from the Department of Public Safety are for the sole use of the Special Prison Prosecution Unit.
50. **Contingency Personnel, DNA Analyses.** Contingent on the receipt of federal funds for DNA analyses or DNA backlog elimination purposes in an amount sufficient to cover the costs related to the additional personnel authorized by this rider, the "Number of Full-Time-Equivalent Positions (FTE)" figure indicated above is hereby increased by 12 each fiscal year. Seven of these authorized FTEs are to be assigned to the department's primary DNA facility, while the remaining five are to be assigned to field laboratories.
51. **Authorized Trooper Strength Increase.** From funds appropriated, the Department of Public Safety shall increase the number of highway patrol trooper positions to 1,873. It is the intent of the Legislature that the DPS increase by 10 percent the current number of troopers actually patrolling Texas highways by August 31, 2003. To the extent it is necessary to achieve this increase, the department may contract out non-vital agency functions, shift vacant positions from non-commissioned to commissioned status and transfer commissioned officers. Notwithstanding, the department is not authorized to reduce positions in the Texas Rangers to achieve the above directive.

**DEPARTMENT OF PUBLIC SAFETY**  
(Continued)

52. **Contingency Personnel, North Texas Tollway Authority Contract.** The department is authorized 24 highway patrol service positions upon entering into an interlocal cooperation contract with the North Texas Tollway Authority to police the Dallas North Tollway Systems. The “Number of Full-Time-Equivalent Positions (FTE)” figure indicated above is hereby increased by eight each fiscal year. The eight FTEs authorized by this rider may not be added until the department increases by 10 percent the number of troopers patrolling Texas highways in accordance with the goals as outlined in Rider Number 51, Authorized Trooper Strength Increase.

This authorization is contingent upon a certification by the State Auditor’s Office that the contract covers all costs incurred, including salaries, retirement, group insurance, auto operation costs, operational expenses, and amortization of equipment, including, but not limited to, vehicles. The expenses to be covered must also include expenses related to radio communications, office space and furniture, printing, postage, personnel moving expenses, telephone services, patrol car equipment, and secretarial and clerical services. Prior to the execution of the contract, the department shall provide a copy of the contract to the Governor, Legislative Budget Board, and the State Auditor’s Office. Upon termination of the contract, the department must notify the Governor, Legislative Budget Board, and the State Auditor’s Office of the termination and phase out the additional FTEs.

53. **Information Services.** It is the intent of the Legislature that the Department of Public Safety utilize the West Texas Disaster Recovery and Operations Center (WTDROC), to the maximum extent possible, in compliance with Article IX, § 6.20, of the General Appropriations Act, Seventy-seventh Legislature, Regular Session. The department shall evaluate information services and projects receiving appropriations for fiscal years 2002 and 2003 that are performed within the agency, including disaster recovery, data center operations, and seat management for potential to be supplied by WTDROC. Once completed, the agency shall send a copy of this evaluation to the Governor, Legislative Budget Board, and Department of Information Resources.
54. **Unsolved Crimes Investigation Team.** Included in the amounts appropriated above in Strategy B.1.4, Texas Rangers, is \$250,000 in each fiscal year for the purpose of providing assistance to Texas Law Enforcement with the investigation of unsolved murders and serial or linked criminal transaction. Also included above are 13 Full-Time Equivalents (FTEs) that are provided specifically for the staffing of the unsolved crimes investigation team with the intent that at least nine of the FTEs are commissioned personnel. The funds directed by this provision may be expended for capital budget purposes notwithstanding limitations on capital budget expenditures elsewhere in the Act.
55. **Polygraph Examiners Board.** The Polygraph Examiners Board, Strategy D.1.1, is an agency of the State of Texas fully autonomous and independent of the Department of Public Safety pursuant to VTCA, Occupations Code § 1703.001. The board is responsible for hiring an Executive Officer, and shall pay this exempt employee a salary in an amount not to exceed \$40,000 per annum. The Executive Officer position is subject to Article IX provisions regarding Scheduled Exempt Positions. Board member per diem shall not exceed \$4,200 per year.

Fee Rates

The Polygraph Examiners Board shall establish reasonable fees pursuant to VTCA, Government Code § 316.043, to be effective during the biennium beginning on the effective date of this Act, not to exceed:

a. Polygraph Examiners License	\$ 500.00
b. Internship License Application Fee	300.00
c. Duplicate License	100.00
d. Renewal Fee for Examiners License	500.00

**DEPARTMENT OF PUBLIC SAFETY**  
(Continued)

e. Extension or Renewal of an Internship License	150.00
f. Examination Fee	200.00
g. Late Fee	200.00

Appropriation: Unexpended Balance Authority

The Polygraph Examiners Board is hereby appropriated unexpended and unencumbered balances in an amount not to exceed \$5,000 from the biennium ending August 31, 2001, to the biennium beginning September 1, 2001, and from the fiscal year ending August 31, 2002, to the fiscal year beginning September 1, 2002. Balances appropriated can only be expended for expenses related to hearings before the State Office of Administrative Hearings, and other unforeseen circumstances. Unforeseen circumstances include, but are not limited to, a large increase in the investigation of licensees and additional responsibilities, as may occur, related to the regulation of Computerized Voice Stress Analyzers and other devices which purport to detect truthfulness.

Assistance from the Department of Public Safety

The Department of Public Safety will be responsible for providing administrative support, as is necessary, to ensure that the Polygraph Examiners Board complete all written reports, including the legislative appropriations request, the strategic plan and the annual financial report, and all data entry into ABEST, USAS, and other state systems as is required of the Polygraph Examiners Board by statute or by oversight agency directives.

It is the intent of this rider that the Department of Public Safety assist the Polygraph Examiners Board in meeting the aforementioned requirements. The Executive Officer and staff of the Polygraph Examiners Board remain solely responsible for completing administrative tasks imposed by the Polygraph Examiners Board.

56. **Contingency Appropriation for Senate Bill 1074, House Bill 3064 and House Joint Resolution 97.** Out of the funds appropriated above, in Strategy A.1.1, Highway Patrol, \$18,500,000 from general obligation bond or note proceeds is contingent on the enactments of Senate Bill 1074 and House Bill 3064, and the adoption and voter approval of House Joint Resolution 97, or similar legislation, for capital expenditures related to the purchase of cameras as authorized by the constitutional amendment proposed in House Joint Resolution 97 and Senate Bill 1074. Out of the funds appropriated above, in Strategy E.1.1, Central Administration, \$50,000 from the State Highway Fund No. 006 is contingent on the enactments of Senate Bill 1074 and House Bill 3064, and the adoption and voter approval of House Joint Resolution 97, or similar legislation, for the administration of Senate Bill 1074. Also contingent on the enactments of Senate Bill 3064 and House Bill 3064, and the adoption and voter approval of House Joint Resolution 97, or similar legislation, the “Number of Full-Time-Equivalent Positions (FTE)” figure indicated above is hereby increased by two for fiscal year 2002 and one for fiscal year 2003.



YOUTH COMMISSION

	For the Years Ending	
	August 31, 2002	August 31, 2003
<b>A. Goal: PROTECT PUBLIC</b>		
To protect the public from the delinquent and criminal acts of TYC youth while they are in institutional or community-based correctional programs.		
<b>Outcome (Results/Impact):</b>		
Turnover Rate of Juvenile Correctional Officers	20%	20%
<b>A.1.1. Strategy:</b> CORRECTIONAL PROGRAMS	\$ 178,911,610	\$ 180,042,579
Provide a continuum of TYC-operated and contracted correctional programs under conditions that promote the youth’s positive development, and the interests and safety of the public, youth and staff.		
<b>Output (Volume):</b>		
Average Daily Population: Correctional Programs	5,719	5,842
<b>Efficiencies:</b>		
Capacity Cost in Correctional Programs Per Youth Day	85.71	84.43
<b>A.1.2. Strategy:</b> ASSESSMENT AND ORIENTATION	\$ 4,214,592	\$ 4,214,592
Provide a system of assessment and orientation which is culturally competent and accurately determines the relative security risk and treatment needs of committed youth so they are placed in appropriate programs.		
<b>Output (Volume):</b>		
Average Daily Population: Assessment and Orientation	436	436
<b>A.1.3. Strategy:</b> CONSTRUCT AND RENOVATE FACILITIES	\$ _____ UB	\$10,792,136 &UB
Construct and renovate TYC facilities in order to provide sufficient capacity and proper conditions.		
<b>Total, Goal A: PROTECT PUBLIC</b>	<b>\$ 183,126,202</b>	<b>\$ 195,049,307</b>
<b>B. Goal: ENABLE PRODUCTIVITY</b>		
To enable TYC youth through habilitation to become productive and responsible citizens.		
<b>Outcome (Results/Impact):</b>		
Diploma or GED Rate	40%	41%
Percent Reading at Grade Level at Release	16%	17%
<b>B.1.1. Strategy:</b> EDUCATION AND WORKFORCE PROGRAMS	\$ 29,711,319	\$ 30,060,546
Provide or facilitate 12-month academic, GED, and workforce preparation programs.		
<b>Output (Volume):</b>		
Average Daily Attendance in TYC-operated Schools	4,173	4,422
Percent of Youth Leaving TYC Who Achieve at Least a One-month Gain in Math for Each Month of Instruction	67%	71%
Percent of Youth Leaving TYC Who Achieve at Least a One-month Gain in Reading for Each Month of Instruction	69%	71%
Average Daily Attendance in Career and Technology Education Courses in TYC-operated Schools	1,783	1,802
<b>C. Goal: PROVIDE REHABILITATION</b>		
To reduce the delinquent and criminal behavior of youth committed to TYC, and of youth currently residing in Texas and adjudicated delinquent by other states.		
<b>Outcome (Results/Impact):</b>		
One-year Rearrest Rate	54%	54%
One-year Rearrest Rate for Violent Offenses	8.6%	8.6%

**YOUTH COMMISSION**  
(Continued)

One-year Reincarceration Rate: Total	26%	26%
Three-year Reincarceration Rate: Total	50%	50%
<b>C.1.1. Strategy:</b> CORRECTIONAL TREATMENT	\$ 17,371,521	\$ 17,663,552
Provide, through a competency-based resocialization system, correctional treatment programs appropriate to youth of all cultures.		
<b>Output (Volume):</b>		
ADP: Correctional Treatment	5,119	5,208
<b>Efficiencies:</b>		
Correctional Treatment Cost Per Youth Day	9.3	9.29
<b>C.1.2. Strategy:</b> SPECIALIZED CORRECTIONAL TREATMENT	\$ 6,658,572	\$ 6,788,982
Provide a system of culturally competent specialized correctional treatment programs for youth with the specialized needs of capital or serious violent offense history, sex offense history, chemical abuse dependence, emotional disturbance, or mental retardation.		
<b>Output (Volume):</b>		
Average Daily Population: Specialized Correctional Treatment	1,071	1,105
<b>Efficiencies:</b>		
Specialized Correctional Treatment Cost Per Youth Day	17.03	16.83
<b>C.1.3. Strategy:</b> AFTERCARE SERVICES	\$ 9,599,834	\$ 9,599,834
Provide a system of aftercare services.		
<b>Output (Volume):</b>		
Average Daily Population: Aftercare	3,100	3,130
<b>Efficiencies:</b>		
Aftercare Cost Per Youth Day	8.48	8.4
<b>C.1.4. Strategy:</b> INTERSTATE AGREEMENT	\$ 217,997	\$ 217,997
Implement the interstate cooperative agreement regarding the return and supervision of runaways and the supervision of juvenile probationers and parolees.		
<b>Total, Goal C:</b> PROVIDE REHABILITATION	\$ 33,847,924	\$ 34,270,365
<b>D. Goal:</b> PREVENT DELINQUENCY		
Help prevent delinquent behavior.		
<b>D.1.1. Strategy:</b> PROVIDE PREVENTION INFORMATION	\$ 164,675	\$ 164,675
Provide assistance and information to support state and local efforts in delinquency prevention.		
<b>E. Goal:</b> INDIRECT ADMINISTRATION		
<b>E.1.1. Strategy:</b> CENTRAL ADMINISTRATION	\$ 5,286,285	\$ 5,286,285
<b>E.1.2. Strategy:</b> INFORMATION RESOURCES	\$ 3,553,592	\$ 3,553,592
<b>E.1.3. Strategy:</b> OTHER SUPPORT SERVICES	\$ 1,638,091	\$ 1,638,091
<b>Total, Goal E:</b> INDIRECT ADMINISTRATION	\$ 10,477,968	\$ 10,477,968
<b>Grand Total, YOUTH COMMISSION</b>	<u>\$ 257,328,088</u>	<u>\$ 270,022,861</u>
<b>Method of Financing:</b>		
<u>General Revenue Fund</u>		
General Revenue Fund	\$ 231,400,979	\$ 235,807,418
Earned Federal Funds	85,000	85,000
Subtotal, General Revenue Fund	<u>\$ 231,485,979</u>	<u>\$ 235,892,418</u>
Federal Funds	14,148,623	11,018,092

**YOUTH COMMISSION**  
(Continued)

<u>Other Funds</u>		
Appropriated Receipts	185,327	185,327
Interagency Contracts	726,000	726,000
Bond Proceeds - General Obligation Bonds	UB	10,792,136
Interagency Contracts - Transfer from Foundation School Fund No. 193	10,782,159	11,408,888
Subtotal, Other Funds	<u>\$ 11,693,486</u>	<u>\$ 23,112,351</u>
<b>Total, Method of Financing</b>	<u><u>\$ 257,328,088</u></u>	<u><u>\$ 270,022,861</u></u>
<b>Number of Full-Time-Equivalent Positions (FTE):</b>	5,489.6	5,568.6
<b>Schedule of Exempt Positions:</b>		
Executive Director, Group 5	\$118,000	\$118,000
Per Diem of Board Members	3,600	3,600
<b>Supplemental Appropriations Made in Riders:</b>	<u>\$ 2,898,000</u>	<u>\$ 698,000</u>

1. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103.

	<u>2002</u>	<u>2003</u>
a. Construction of Buildings and Facilities		
(1) Education Building at Evins Regional Juvenile Center	\$ 0	\$ 2,243,366
b. Repair or Rehabilitation of Buildings and Facilities		
(1) Utility, Road and Site Work	0	2,811,950
(2) Roof Replacements	0	1,929,914
(3) Rehabilitate Buildings and Systems	0	3,806,906
Total, Repair or Rehabilitation of Buildings and Facilities	<u>\$ 0</u>	<u>\$ 8,548,770</u>
c. Acquisition of Information Resource Technologies		
(1) Computer Workstation and Infrastructure Equipment Replacement - Business	655,500	655,500
(2) Computer Workstation and Infrastructure Equipment Replacement - Education	350,000	350,000
Total, Acquisition of Information Resource Technologies	<u>\$ 1,005,500</u>	<u>\$ 1,005,500</u>
d. Transportation Items		
(1) Vehicle Replacement	377,400	355,200

**YOUTH COMMISSION**  
(Continued)

e. Acquisition of Capital Equipment and Items		
(1) Radio Conversion and Replacement	UB	UB
(2) Telemedicine System Equipment	148,000	UB
 Total, Acquisition of Capital Equipment and Items	 \$ 148,000	 \$ UB
 Total, Capital Budget	 \$ 1,530,900	 \$ 12,152,836

Method of Financing (Capital Budget):

General Revenue Fund	\$ 1,180,900	\$ 1,010,700
Federal Funds	350,000	350,000
Bond Proceeds - General Obligation Bonds	0	10,792,136
 Total, Method of Financing	 \$ 1,530,900	 \$ 12,152,836

2. **Interagency Contract Authorized, West Texas State School.** The Texas Youth Commission is authorized to lease from The University of Texas, for a term of years and upon conditions that are mutually agreeable to the Texas Youth Commission and The University of Texas, under authority of the Interagency Cooperation Act, certain facilities situated at Pyote Air Force Base, in Ward County, Texas (same being located in Block 16, University Lands). The Texas Youth Commission is authorized to pay to The University of Texas as rental for such a lease a sum not to exceed \$10.00 per year.
3. **Appropriation of Other Agency Funds.** Any unexpended balances remaining in Independent School District Funds (not to exceed \$155,000), the Student Benefit Fund (not to exceed \$250,000), the Canteen Revolving Funds (not to exceed \$7,500), and the Conference Account (not to exceed \$3,500), and any gifts, grants, and donations as of August 31, 2001, and August 31, 2002 (estimated to be \$247,000 per year) and any revenues accruing to those funds are appropriated to those funds for the succeeding fiscal years. Funds collected by vocational training shops at Texas Youth Commission institutions, including unexpended balances as of August 31, 2001 (not to exceed \$35,000) are hereby appropriated for the purpose of purchasing and maintaining parts, tools, and other supplies necessary for the operation of those shops.
4. **Revolving Funds.** The Texas Youth Commission may establish out of any funds appropriated herein a revolving fund not to exceed \$10,000 in the Central Office, and \$10,000 in each institution, field office, or facility under its direction. Payments from these revolving funds may be made as directed by the commission. Reimbursement to such revolving funds shall be made out of appropriations provided for in this Article.
5. **Student Employment.** Subject to the approval of the Texas Youth Commission, students residing in any Texas Youth Commission facility may be assigned necessary duties in the operations of the facility and be paid on a limited basis out of any funds available to the respective institutions or facility not to exceed \$50,000 a year for each institution and \$10,000 a year for any other facility.
6. **Support Payment Collections.** The Texas Youth Commission shall annually report to the Governor and to the Legislative Budget Board the number of active accounts, including the amounts owed to the state pursuant to the Texas Family Code, § 54.06(a) court orders, and the total amount of funds collected.
7. **Federal Foster Care Claims.** Within the appropriations made above, the Texas Department of Protective and Regulatory Services, the Texas Youth Commission, and the Texas Juvenile Probation Commission shall document possible foster care claims for children in juvenile justice programs and maintain an interagency agreement to implement strategies and responsibilities

## YOUTH COMMISSION

(Continued)

necessary to claim additional federal foster care funding; and consult with juvenile officials from other states and national experts in designing better foster care funding initiatives.

8. **Employee Medical Care.** Appropriations made in this Act for the Texas Youth Commission not otherwise restricted in use may also be expended to provide medical attention by medical staff and infirmaries at Texas Youth Commission facilities, or to pay necessary medical expenses, including the cost of broken eyeglasses and other health aids, for employees injured while performing the duties of any hazardous position which is not reimbursed by workers' compensation and/or employees' state insurance. For the purpose of this section, "hazardous position" shall mean one for which the regular and normal duties inherently involve the risk or peril of bodily injury or harm. Appropriations made in this Act not otherwise restricted in use may also be expended for medical tests and procedures on employees that are required by federal or state law or regulations when the tests or procedures are required as a result of the employee's job assignment or when considered necessary due to potential or existing litigation.
9. **Fire Prevention and Safety.** In instances in which regular employees of facilities operated by the Texas Youth Commission are assigned extra duties on fire prevention teams or on special tactics and response teams, supplementary payments, not to exceed \$125 per month for team leaders and \$100 per month for team members, are authorized in addition to the salary rates stipulated by the provisions of Article IX of this Act relating to the position classifications and assigned salary ranges.
10. **Charges to Employees and Guests.**
  - a. Collections for services rendered Texas Youth Commission employees and guests shall be made by a deduction from the recipient's salary or by cash payment in advance. Such deductions and other receipts for these services from employees and guests are hereby appropriated to the facility. Refunds of excess collections shall be made from the appropriation to which the collection was deposited.
  - b. As compensation for services rendered and notwithstanding any other provision in this Act, any facility under the jurisdiction of the Texas Youth Commission may provide free meals for food service personnel and volunteer workers and may furnish housing facilities, meals and laundry service in exchange for services rendered by interns, chaplains in training, and student nurses.
11. **Oversight of Construction Projects.** The commission shall contract with the Texas Department of Criminal Justice for construction management services for all construction projects involving the expenditure of bond funds appropriated above.
12. **Specialized Treatment Report.** The Texas Youth Commission shall, in its annual report, provide an assessment of the effectiveness of specialized treatment, emphasizing re-arrest rates of offenders receiving treatment.
13. **Unexpended Balances.** Unobligated balances (estimated to be \$2,200,000 in General Obligation Bonds) as of August 31, 2001, in appropriations made by House Bill 1, Acts of the Seventy-sixth Legislature, Regular Session, 1999, as identified in Article V, § 1, Capital Budget, and House Bill 1, Acts of the Seventy-fifth Legislature, Regular Session, 1997, as identified in Article V, § 1, Capital Budget, are appropriated for the identical purposes for the biennium beginning September 1, 2001.

## YOUTH COMMISSION

(Continued)

### 14. **Salaries, Education Professionals.**

- a. Each principal, supervisor, and classroom teacher employed in an institution operated by the Texas Youth Commission shall receive a monthly salary to be computed as follows: The applicable monthly salary rate specified in § 21.402, Texas Education Code, as amended, shall be multiplied by ten to arrive at a ten month salary rate. Such rate shall be divided by the number of days required in §21.401, Texas Education Code, for 10-month employees, and the resulting daily rate shall be multiplied by the number of on-duty days required of Texas Youth Commission educators, resulting in the adjusted annual salary. The adjusted annual salary is to be divided by 12 to arrive at the monthly rate. Salary rates for educational aides commencing employment before September 1, 1999, shall be calculated in the same manner, using 60 percent of the salary rate specified in § 21.402, Texas Education Code.
- b. The Texas Youth Commission may authorize salary rates at amounts above the adjusted annual salary determined in the preceding formula, but such rates, including longevity for persons commencing employment on September 1, 1983, or thereafter, and excluding hazardous duty pay, shall never exceed the rates of pay for like positions paid in the public schools of the city in which the Texas Youth Commission institution is located. Any authorized local increments will be in addition to adjusted annual salaries.
- c. There is hereby appropriated to the Texas Youth Commission from any unexpended balances on hand as of August 31, 2002, funds necessary to meet the requirements of this section in fiscal year 2003 in the event adjustments are made in the salary rates specified in the Texas Education Code or in salary rates paid by the public schools where Texas Youth Commission facilities are located.

### 15. **State-owned Housing Authorized.** As of September 1, 1998, the chief superintendent, assistant superintendent and the director of security are authorized to live in state-owned housing at a rate determined by the commission. Notwithstanding general provisions of this Act, commission employees first employed at the Sheffield Boot Camp and West Texas State School on or after September 1, 1999, are authorized to live in state-owned housing at the same rate as persons employed prior to September 1, 1999. Other commission employees may live in state-owned housing as set forth in Article IX, § 9.09, State Owned Housing - Recover Housing Costs, of this Act. Fees for employee housing are hereby appropriated to be used for maintaining employee housing.

### 16. **Appropriation Transfers Between Fiscal Years.** In addition to the transfer authority provided elsewhere in this Act, the Texas Youth Commission may transfer appropriations in an amount not to exceed \$9.8 million made for fiscal year 2003 to fiscal year 2002 subject to the following conditions provided by this section:

- a. Transfers under this section may be made only if (1) juvenile correctional populations exceed appropriated areas of daily population targets or (2) for any other emergency expenditure, including expenditures necessitated by public calamity.
- b. A transfer authorized by this section must receive prior approval from the Governor and the Legislative Budget Board.
- c. The Comptroller of Public Accounts shall cooperate as necessary to assist the completion of a transfer and spending under this section.

### 17. **Project RIO.** It is the intent of the Legislature that the Texas Workforce Commission, the Texas Department of Criminal Justice, and the Texas Youth Commission together enhance the effectiveness of Project RIO by improving cohesive program delivery among the three agencies.

## YOUTH COMMISSION

(Continued)

The agencies shall together develop and implement a biennial strategic plan for the implementation of a more cohesive and effective Project RIO program which will emphasize necessary skill development, rehabilitation, and appropriate assessment of the offender prior to release. Not later than March 1, 2002, the biennial strategic plan, jointly prepared by the three agencies, and including specific strategies, measures, timeframes for program improvement, and a methodology for program evaluation, shall be submitted to the Legislative Budget Board and the Governor. With regards to appropriations for Project RIO, while total project funds are appropriated to the Texas Workforce Commission, interagency contracts are to be maintained during the 2002–03 biennium with the Texas Youth Commission at no less than the level maintained as of August 31, 2001.

18. **Training for GED and Reading Skills.** It is the intent of the Legislature that the Texas Youth Commission, to the extent possible, use funds appropriated above in Strategy B.1.1, Education and Workforce Programs, to prioritize reading at grade level and preparation for the GED in its educational program. A report containing statistical information regarding student performance on the Test of Adult Basic Education (TABE) shall be submitted to the Senate Finance Committee, House Appropriations Committee, the Legislative Budget Board, and the Governor on or before December 1, 2002.
19. **Salary Adjustment Authorized.** Notwithstanding other provisions of this Act, the Texas Youth Commission is authorized to adjust salaries of Juvenile Correctional Officers I, Juvenile Correctional Officers II, Juvenile Correctional Officers III, Juvenile Correctional Officers IV, Juvenile Correctional Officers V, and Juvenile Correctional Officers VI to rates within the designated salary group for the purpose of recruiting, employing and retaining career juvenile correctional personnel. Merit raises are prohibited for all Juvenile Correctional Officers who are receiving or are eligible to receive step adjustments in the career ladder system. It is the intent of the Legislature that all employees progressing through the career ladder receive at least a 4 percent or \$1,200 increase, whichever is greater, during the 2002–03 biennium.
20. **Human Resources Management Plan.** From funds appropriated above, the Texas Youth Commission shall develop a Human Resources Management Plan designed to improve employee morale and retention. The plan must focus on reducing employee turnover through better management. The Texas Youth Commission shall report, by October 1 of each year of the biennium, to the Senate Finance Committee, the House Committee on Appropriations, the Legislative Budget Board, and the Governor's office the employee turnover rate, by job category, at the agency during the preceding fiscal year. The effectiveness of an agency's plan shall be measured by whether or not there is a reduction in annual employee turnover rates at the agency, specifically by the reduction in the turnover rates for juvenile correctional officers.
21. **Population Distribution Study.** The Texas Youth Commission (TYC) shall assess the effects of the size and distribution of TYC facilities across the state on the rehabilitation process. The assessment shall address the effects of family participation and the effects of gangs on the rehabilitation process. Moreover, the study shall address the effects of facility size, specifically with regards to the American Correctional Association recommendation that facilities not exceed 150 beds for optimal rehabilitation. This study and its results are not intended to be detrimental to existing TYC facilities. The Texas Youth Commission shall submit a report on its findings to the Governor and the Legislative Budget Board no later than December 1, 2002.
22. **Contingency Appropriation for House Bill 3064 and House Joint Resolution 97.** Out of funds appropriated above in Strategy A.1.3, Construct and Renovate Facilities, \$10,792,136 from general obligation bond or note proceeds is contingent on the enactment of House Bill 3064 and the adoption and voter approval of House Joint Resolution 97, or similar legislation,

**YOUTH COMMISSION**  
(Continued)

and is appropriated for fiscal year 2003 for capital expenditures related to the repair or replacement of utilities, roads, and roofs, the repair or rehabilitation of buildings, and the construction of an education building at the Evins Regional Juvenile Center as authorized by the constitutional amendment proposed in House Joint Resolution 97 and House Bill 3064.

**RETIREMENT AND GROUP INSURANCE**

	For the Years Ending	
	August 31, 2002	August 31, 2003
<b>A. Goal: EMPLOYEES RETIREMENT SYSTEM</b>		
<b>A.1.1. Strategy:</b> RETIREMENT CONTRIBUTIONS Provide an actuarially sound level of funding as defined by state law. Estimated.	\$ 104,176,240	\$ 106,485,201
<b>A.1.2. Strategy:</b> GROUP INSURANCE Provide a basic health care and life insurance program for general state employees. Estimated.	\$ 282,724,402	\$ 319,156,822
<b>A.1.3. Strategy:</b> PUBLIC SAFETY BENEFITS Provide for the payment of death benefits to beneficiaries of public safety personnel as required by Section 615, Government Code. Estimated.	\$ 900,000	\$ 900,000
<b>Total, Goal A: EMPLOYEES RETIREMENT SYSTEM</b>	<u>\$ 387,800,642</u>	<u>\$ 426,542,023</u>
<b>Grand Total, RETIREMENT AND GROUP INSURANCE</b>	<u><u>\$ 387,800,642</u></u>	<u><u>\$ 426,542,023</u></u>
<b>Method of Financing:</b>		
General Revenue Fund, estimated	\$ 330,130,679	\$ 363,079,497
General Revenue - Dedicated, estimated	7,957,699	8,796,827
State Highway Fund No. 006, estimated	45,363,417	49,915,540
Federal Funds, estimated	3,073,775	3,358,414
Other Special State Funds, estimated	<u>1,275,072</u>	<u>1,391,745</u>
<b>Total, Method of Financing</b>	<u><u>\$ 387,800,642</u></u>	<u><u>\$ 426,542,023</u></u>

**SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY**

	For the Years Ending	
	August 31, 2002	August 31, 2003
<b>A. Goal: SOCIAL SECURITY/BENEFIT REPLACEMENT</b>		
To provide funding to the Comptroller of Public Accounts for Social Security Contributions and Benefit Replacement Pay.		
<b>A.1.1. Strategy:</b> STATE MATCH – EMPLOYER Provide an employer match for Social Security contributions. Estimated.	\$ 129,403,839	\$ 132,274,075



SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY  
(Continued)

<b>A.1.2. Strategy:</b> BENEFIT REPLACEMENT PAY Provide Benefit Replacement Pay to eligible employees. Estimated.	\$ 26,728,461	\$ 24,815,100
<b>Total, Goal A:</b> SOCIAL SECURITY/BENEFIT REPLACEMENT	\$ 156,132,300	\$ 157,089,175
<b>Grand Total,</b> SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY	\$ 156,132,300	\$ 157,089,175
<b>Method of Financing:</b>		
General Revenue Fund, estimated	\$ 130,400,130	\$ 131,201,668
General Revenue - Dedicated, estimated	4,319,910	4,385,228
State Highway Fund No. 006, estimated	19,399,011	19,470,450
Federal Funds, estimated	1,508,883	1,517,376
Other Special State Funds, estimated	504,366	514,453
<b>Total, Method of Financing</b>	\$ 156,132,300	\$ 157,089,175

BOND DEBT SERVICE PAYMENTS

	For the Years Ending	
	August 31,	August 31,
	2002	2003
<b>A. Goal:</b> FINANCE CAPITAL PROJECTS To provide funding to the Texas Public Finance Authority for the payment of general obligation bond debt service requirements.		
<b>A.1.1. Strategy:</b> BOND DEBT SERVICE	\$ 231,310,774	\$ 236,793,692
Make general obligation bond debt service payments in compliance with bond covenants.		& UB
<b>Grand Total,</b> BOND DEBT SERVICE PAYMENTS	\$ 231,310,774	\$ 236,793,692
<b>Method of Financing:</b>		
General Revenue Fund	\$ 230,897,774	\$ 236,379,692
Current Fund Balance	413,000	414,000
<b>Total, Method of Financing</b>	\$ 231,310,774	\$ 236,793,692

LEASE PAYMENTS

	For the Years Ending	
	August 31,	August 31,
	2002	2003
Out of the General Revenue Fund:		
A. Goal: FINANCE CAPITAL PROJECTS		
To provide funding to the General Services Commission for payment to the Texas Public Finance Authority for the payment of revenue bond debt service requirements.		
A.1.1. Strategy: LEASE PAYMENTS	\$ 1,868,687	\$ 1,867,097
		& UB
Make lease payments to the Texas Public Finance Authority on facilities financed through the Texas Public Finance Authority.		
Grand Total, LEASE PAYMENTS	\$ 1,868,687	\$ 1,867,097

SPECIAL PROVISIONS RELATING TO PUBLIC SAFETY AND CRIMINAL JUSTICE AGENCIES

Sec. 2. **Authorization to Receive, Administer, and Disburse Federal Crime Funds.** Out of funds appropriated above, the Texas Department of Criminal Justice, the Texas Juvenile Probation Commission, and the Texas Youth Commission, may allocate matching funds in order to secure federal grants for the construction, expansion, renovation, and operation of correctional facilities and services, as authorized by federal legislation. These agencies are authorized to receive and disburse, in accordance with plans acceptable to the responsible federal agency, all federal monies that are made available to the state for programs, projects, or services that otherwise could not be funded or undertaken without the receipt of such funding. Such federal funds are hereby appropriated to the specific purpose or purposes for which they are granted or otherwise made available. At least 14 days prior to any expenditure of such federal funds, documentation of the proposed use of the funds shall be provided to the Legislative Budget Board and the Governor.

Sec. 3. **Purchase of TDCJ Products.** It is the intent of the Legislature that state public safety and criminal justice agencies use products produced by the Texas Department of Criminal Justice to the greatest extent possible when either renovating existing facilities or constructing new facilities.

Sec. 4. **Prioritization of DNA Samples.** It is the intent of the Legislature that the Texas Department of Criminal Justice (TDCJ) prioritize the drawing of blood samples from inmates for the purpose of having these samples processed for DNA information needed for entry into the Department of Public Safety’s (DPS) DNA database. The factors to be weighed by TDCJ shall include the severity of the offense, and the proximity to the time of release for the offender. It is also the intent of the Legislature that DPS prioritize any samples received prior to this Act taking effect with assistance from TDCJ using the above mentioned factors. At any time, DPS may request that TDCJ prioritize any particular sample for drawing and shipping to DPS, if DPS has information to the effect that the sample may provide evidence vital to a criminal investigation or judicial proceeding.

**RECAPITULATION - ARTICLE V  
PUBLIC SAFETY AND CRIMINAL JUSTICE  
(General Revenue)**

	For the Years Ending	
	August 31, 2002	August 31, 2003
Adjutant General's Department	\$ 13,170,707	\$ 13,004,082
Alcoholic Beverage Commission	24,332,734	24,899,598
Rider Appropriations	10,000	0
Contingency Appropriations	<u>617,766</u>	<u>334,066</u>
Total	24,960,500	25,233,664
Department of Criminal Justice	2,386,736,679	2,406,253,219
Rider Appropriations	<u>4,000,000</u>	<u>0</u>
Total	2,390,736,679	2,406,253,219
Criminal Justice Policy Council	1,221,694	1,280,526
Commission on Fire Protection	3,082,721	3,082,721
Rider Appropriations	28,000	28,000
Contingency Appropriations	<u>100,000</u>	<u>0</u>
Total	3,210,721	3,110,721
Commission on Jail Standards	921,756	921,756
Juvenile Probation Commission	97,089,748	97,649,049
Texas Military Facilities Commission	2,126,287	1,391,223
Texas Commission on Private Security	1,808,434	1,808,434
Department of Public Safety	22,622,816	21,287,829
Rider Appropriations	<u>2,531,755</u>	<u>6,224,080</u>
Total	25,154,571	27,511,909
Youth Commission	<u>231,485,979</u>	<u>235,892,418</u>
Subtotal, Public Safety and Criminal Justice	<u>\$ 2,791,887,076</u>	<u>\$ 2,814,057,001</u>
Retirement and Group Insurance	330,130,679	363,079,497
Social Security and Benefit Replacement Pay	<u>130,400,130</u>	<u>131,201,668</u>
Subtotal, Employee Benefits	<u>\$ 460,530,809</u>	<u>\$ 494,281,165</u>
Bond Debt Service Payments	230,897,774	236,379,692
Lease Payments	<u>1,868,687</u>	<u>1,867,097</u>
Subtotal, Debt Service	<u>\$ 232,766,461</u>	<u>\$ 238,246,789</u>
TOTAL, ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE	<u><u>\$ 3,485,184,346</u></u>	<u><u>\$ 3,546,584,955</u></u>

**RECAPITULATION - ARTICLE V  
PUBLIC SAFETY AND CRIMINAL JUSTICE  
(General Revenue - Dedicated)**

	For the Years Ending	
	August 31, 2002	August 31, 2003
Department of Criminal Justice	\$ 2,690,332	\$ 2,690,332
Commission on Law Enforcement Officer Standards and Education	2,349,594	2,350,504
Rider Appropriations	<u>50,000</u>	<u>50,000</u>
Total	2,399,594	2,400,504
Department of Public Safety	<u>40,688,374</u>	<u>40,799,926</u>
Subtotal, Public Safety and Criminal Justice	<u>\$ 45,778,300</u>	<u>\$ 45,890,762</u>
Retirement and Group Insurance	7,957,699	8,796,827
Social Security and Benefit Replacement Pay	<u>4,319,910</u>	<u>4,385,228</u>
Subtotal, Employee Benefits	<u>\$ 12,277,609</u>	<u>\$ 13,182,055</u>
TOTAL, ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE	<u><u>\$ 58,055,909</u></u>	<u><u>\$ 59,072,817</u></u>

**RECAPITULATION - ARTICLE V  
PUBLIC SAFETY AND CRIMINAL JUSTICE  
(Federal Funds)**

	For the Years Ending	
	August 31, 2002	August 31, 2003
Adjutant General’s Department	\$ 22,202,530	\$ 23,225,984
Department of Criminal Justice	31,741,307	31,741,307
Criminal Justice Policy Council	50,000	50,000
Juvenile Probation Commission	11,931,698	12,438,865
Texas Military Facilities Commission	52,916,566	516,166
Department of Public Safety	15,218,311	15,218,311
Rider Appropriations	<u>5,200,000</u>	<u>5,400,000</u>
Total	20,418,311	20,618,311
Youth Commission	<u>14,148,623</u>	<u>11,018,092</u>
Subtotal, Public Safety and Criminal Justice	<u>\$ 153,409,035</u>	<u>\$ 99,608,725</u>
Retirement and Group Insurance	3,073,775	3,358,414
Social Security and Benefit Replacement Pay	<u>1,508,883</u>	<u>1,517,376</u>
Subtotal, Employee Benefits	<u>\$ 4,582,658</u>	<u>\$ 4,875,790</u>
TOTAL, ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE	<u><u>\$ 157,991,693</u></u>	<u><u>\$ 104,484,515</u></u>

**RECAPITULATION - ARTICLE V  
PUBLIC SAFETY AND CRIMINAL JUSTICE  
(Other Funds)**

	For the Years Ending	
	August 31, 2002	August 31, 2003
Adjutant General's Department	\$ 450,000	\$ 450,000
Alcoholic Beverage Commission	416,464	456,464
Department of Criminal Justice	74,589,224	142,468,789
Rider Appropriations	<u>5,000,000</u>	<u>0</u>
Total	79,589,224	142,468,789
Criminal Justice Policy Council	90,000	96,120
Commission on Fire Protection	5,000	5,000
Commission on Jail Standards	46,000	46,000
Juvenile Probation Commission	9,590,000	9,590,000
Commission on Law Enforcement Officer Standards and Education	63,600	63,600
Rider Appropriations	<u>91,000</u>	<u>91,000</u>
Total	154,600	154,600
Texas Military Facilities Commission	8,732,556	8,590,931
Texas Commission on Private Security	971,595	971,595
Department of Public Safety	285,769,936	303,200,759
Contingency Appropriations	<u>(2,484,586)</u>	<u>(2,449,295)</u>
Total	283,285,350	300,751,464
Youth Commission	11,693,486	23,112,351
Rider Appropriations	<u>2,898,000</u>	<u>698,000</u>
Total	<u>14,591,486</u>	<u>23,810,351</u>
Subtotal, Public Safety and Criminal Justice	<u>\$ 397,922,275</u>	<u>\$ 487,391,314</u>
Retirement and Group Insurance	46,638,489	51,307,285
Social Security and Benefit Replacement Pay	<u>19,903,377</u>	<u>19,984,903</u>
Subtotal, Employee Benefits	<u>\$ 66,541,866</u>	<u>\$ 71,292,188</u>
Bond Debt Service Payments	<u>413,000</u>	<u>414,000</u>
Subtotal, Debt Service	<u>\$ 413,000</u>	<u>\$ 414,000</u>
Less Interagency Contracts	<u>\$ 72,475,303</u>	<u>\$ 73,372,177</u>
TOTAL, ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE	<u><u>\$ 392,401,838</u></u>	<u><u>\$ 485,725,325</u></u>

**RECAPITULATION - ARTICLE V  
PUBLIC SAFETY AND CRIMINAL JUSTICE  
(All Funds)**

	For the Years Ending	
	August 31, 2002	August 31, 2003
Adjutant General's Department	\$ 35,823,237	\$ 36,680,066
Alcoholic Beverage Commission	24,749,198	25,356,062
Rider Appropriations	10,000	0
Contingency Appropriations	<u>617,766</u>	<u>334,066</u>
Total	25,376,964	25,690,128
Department of Criminal Justice	2,495,757,542	2,583,153,647
Rider Appropriations	<u>9,000,000</u>	<u>0</u>
Total	2,504,757,542	2,583,153,647
Criminal Justice Policy Council	1,361,694	1,426,646
Commission on Fire Protection	3,087,721	3,087,721
Rider Appropriations	28,000	28,000
Contingency Appropriations	<u>100,000</u>	<u>0</u>
Total	3,215,721	3,115,721
Commission on Jail Standards	967,756	967,756
Juvenile Probation Commission	118,611,446	119,677,914
Commission on Law Enforcement Officer Standards and Education	2,413,194	2,414,104
Rider Appropriations	<u>141,000</u>	<u>141,000</u>
Total	2,554,194	2,555,104
Texas Military Facilities Commission	63,775,409	10,498,320
Texas Commission on Private Security	2,780,029	2,780,029
Department of Public Safety	364,299,437	380,506,825
Rider Appropriations	7,731,755	11,624,080
Contingency Appropriations	<u>(2,484,586)</u>	<u>(2,449,295)</u>
Total	369,546,606	389,681,610
Youth Commission	257,328,088	270,022,861
Rider Appropriations	<u>2,898,000</u>	<u>698,000</u>
Total	<u>260,226,088</u>	<u>270,720,861</u>
Subtotal, Public Safety and Criminal Justice	<u>\$ 3,388,996,686</u>	<u>\$ 3,446,947,802</u>

**RECAPITULATION - ARTICLE V**  
**PUBLIC SAFETY AND CRIMINAL JUSTICE**  
**(All Funds)**  
(Continued)

Retirement and Group Insurance	387,800,642	426,542,023
Social Security and Benefit Replacement Pay	<u>156,132,300</u>	<u>157,089,175</u>
Subtotal, Employee Benefits	<u>\$ 543,932,942</u>	<u>\$ 583,631,198</u>
Bond Debt Service Payments	231,310,774	236,793,692
Lease Payments	<u>1,868,687</u>	<u>1,867,097</u>
Subtotal, Debt Service	<u>\$ 233,179,461</u>	<u>\$ 238,660,789</u>
Less Interagency Contracts	<u>\$ 72,475,303</u>	<u>\$ 73,372,177</u>
TOTAL, ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE	<u><u>\$ 4,093,633,786</u></u>	<u><u>\$ 4,195,867,612</u></u>
Number of Full-time Equivalent Positions (FTE)	56,745.3	56,889.3